

Valley County Planning and Zoning

PO Box 1350 • 219 North Main Street
Cascade, ID 83611-1350



Phone: 208-382-7115
Fax: 208-382-7119
Email: cherrick@co.valley.id.us

STAFF REPORT:	C.U.P. 21-09 Copper Rock Subdivision – Final Plat Extension Request
HEARING DATE:	October 16, 2025
TO:	Planning and Zoning Commission
STAFF:	Cynda Herrick, AICP, CFM Planning and Zoning Director
APPLICANT / PROPERTY OWNER:	Biltmore Investment Group INC 1580 W Cayuse Way, Meridian, ID 83646
REPRESENTATIVE	Jason Polson, Biltmore Company 1580 W Cayuse Way, Meridian, ID 83646
SURVEYOR:	Bailey Engineering INC 1119 E State ST, Suite 210, Eagle, ID 83616
LOCATION:	Parcel RP16N03E167640 along Dawn Drive in the SESE Section 16, T.16N, R.3E, Boise Meridian, Valley County, Idaho
SIZE:	6.4 acres
REQUEST:	Extension of Final Plat Approval

The site is adjacent to the south side of Donnelly City Park and Boat Ramp.

The approval for a conditional use permit and preliminary plat was effective April 20, 2021, for a 14-lot single-family residential subdivision on 4.15 acres.

The final plat submittal consists of 13 single-family residential lots and two common lots. The common lots for the North Lake Recreational Sewer and Water District lift station, the fire protection water tank, utilities, and access easements. The increase in acreage from 4.15 acres on the preliminary plat to 6.4 acres was due to the addition of two common lots and platting of a 70-ft wide road dedication for Dawn Drive. Dawn Drive is currently a 50-ft prescriptive easement at this site. Lots would be accessed from shared driveways onto Dawn Drive, a public road.

The Planning and Zoning Commission approved the final plat for C.U.P. 21-09 on March 9, 2023. At this time an extension was also approved to October 20, 2023, to allow more time for infrastructure completion. On October 10, 2024, the approval of the final plat was extended to October 20, 2025, in order to complete infrastructure. Relevant meeting minutes are attached.

Jason Polson, Biltmore Company, is requesting a three-month extension of the final plat approval to January 20, 2026. The applicant states that they are working to finalize Central District Health approval and create the required right-of-way deed for the road dedication to Valley County.

FINDINGS:

1. The extension request was submitted on September 9, 2025.
2. This is not a public hearing.
3. Agency comment received since preliminary plat was approved:

Juan R. Bonilla, Donnelly Fire Department, stated that all DRFPD requirements have been met. (September 15, 2025).

Jess Ellis, Donnelly Fire Marshal, stated all prior requirements shall remain in effect. (Sept. 19, 2024). He previously stated that the Donnelly Fire District requirements for final plat have not been met. Fire protection water storage tank specifications need submitted. The connecting water line, automatic fill and float devices have not been inspected or tested. (Feb. 13, 2023)

Kathy Riffie, Valley County Cadastral Specialist Technician I, found no discrepancies with the plat. A vesting deed to the North Lake Recreational Sewer and Water District for Block 2 Lot 2 is anticipated after the subdivision plat has been recorded. (Feb. 16, 2023)

Paul Ashton, Parametrix and Valley County Engineer, stated the previous recommended approval included measures for the proposed grading along Lots 1-5, satisfying COA 16. **Individual lot development and construction by separate parties will require site specific stormwater management and pollution protection measures prior to construction.** (August 21, 2023)

STAFF COMMENTS:

1. The applicant shall prepare a deed transferring the road right-of-way to Valley County. This will be recorded with the plat. A plat note shall be added to the final plat.
2. The applicant shall also prepare a deed for Block 2, Lot 2 for Northlake Recreational Sewer and Water District.

The below comments are from the Staff Report dated October 19, 2023. They are included to remind the applicant of the required plat changes and requirements.

1. Additional Notes on the plat are needed, as follows:
 - The Wildland Urban Interface Fire Protection Plan is recorded as Instrument # _____.
 - CCRs are recorded as Instrument # _____.
 - Shared Driveway Maintenance Agreement recorded as Instrument # _____.
 - Declaration of Utilities is needed.
 - Lots are limited to one wood burning device.
 - 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.
 - Need to add to the face of the plat a note that states there will be individual stormwater management plans on each lot prior to issuance of a building permit.
 - Floodplain note is required.

- Surveyors Narrative on the plat is not typical. Is there any information in the note that is pertinent to the plat?
2. Must submit a Shared Driveway Maintenance Agreement. Shared driveways are not shown on Block 1, Lots 2 and 12.
 3. Dawn Drive needs to be shown as a public right-of-way on the plat.
 4. CCRs shall reference shared driveways, fire water tank maintenance, the Wildland Urban Interface Fire Protection Plan, lighting, and limit each lot to one wood-burning device.

ATTACHMENTS:

- Extension Request Received September 9, 2025
- C.U.P. 21-09, Instrument # 439480
- Location Map
- Aerial Map
- Google Maps – Aerial View - 2025
- Google Maps – Street View - 2024
- Assessor Plat T16N R3E Section 16
- Final Plat
- Responses

END OF STAFF REPORT



BILTMORE CO.

September 9, 2025

**Valley County
Planning & Zoning Department
P.O. Box 1350
219 North Main Street
Cascade, Idaho 83611**

**Project: Copper Rock Subdivision
Dawn Dr.
Donnelly, ID 83616**

Subject: CUP 21-09 Extension

Valley County Planning and Zoning Commission:

Biltmore Investments is requesting a 3 Month Final Plat extension for the Copper Rock Subdivision, a 15-lot single-family subdivision on approximately 4.15 acres, and is a portion of parcel RP16N03E161805 in the SWSE Section 16, T.16N, R.3E, Boise Meridian, Valley County, Idaho.

We're working to finalize Central District Health approval and create the now-required right-of-way deed we were made aware of on September 8th, and hope to have the submittal packet to P&Z before the extension will be needed to make this request unnecessary.

Please reach out if you have any questions.

Respectfully,

Jason Polson
Biltmore Company

Biltmore...Built Better!

www.biltmoreco.com

O. 208.895.0500 | F. 208.895.0700

1580 W. Cayuse Creek Dr.

Meridian, ID 83646



Planning and Zoning Commission
VALLEY COUNTY
IDAHO

P.O. Box 1350/219 North Main Street/Cascade, Idaho 83611-1350

Phone: 208.382.7115
FAX: 208.382.7119

[Recording Sticker]
Instrument # 439480

VALLEY COUNTY, CASCADE, IDAHO

4-21-2021 10:20:28 AM No. of Pages: 3

Recorded for : PLANNING AND ZONING

DOUGLAS A. MILLER

Fee: 0.00

Ex-Officio Recorder Deputy

Index to: COUNTY MISC

AK

CONDITIONAL USE PERMIT

NO. 21-09

Osprey Pointe Subdivision

Issued to: Biltmore Investment Group INC
1580 W Cayuse Way
Meridian ID 83646

Property Location: The site is 4.15 acres and is a portion of parcel RP16N03E161805 in the SWSE Section 16, T.16N, R.3E, Boise Meridian, Valley County, Idaho.

There have been no appeals of the Valley County Planning and Zoning Commission's decision of April 8, 2021. The Commission's decision stands, and you are hereby issued Conditional Use Permit No. 21-09 with Conditions for establishing a 14-lot single family subdivision as described in the application, staff report, and minutes.

The effective date of this permit is April 20, 2021.

Conditions of Approval:

1. The application, the staff report, and the provisions of the Land Use and Development Ordinance are all made a part of this permit as if written in full herein.
2. Any change in the nature or scope of land use activities shall require an additional Conditional Use Permit.
3. The final plat shall be recorded within two years or this permit will be null and void.
4. The issuance of this permit and these conditions will not relieve the applicant from

Conditional Use Permit

complying with applicable County, State, or Federal laws or regulations or be construed as permission to operate in violation of any statute or regulations. Violation of these laws, regulations or rules may be grounds for revocation of the Conditional Use Permit or grounds for suspension of the Conditional Use Permit.

5. Must have a storm water management plan approved by the Valley County Engineer prior to any excavation work being done.
6. Must have approval from the Valley County Road Department prior to any work being done in the Valley County 50' prescriptive easement (roadway).
7. A letter of approval is required from Donnelly Rural Fire District.
8. CCR's should address lighting, wildfire prevention, and limit each lot to one wood burning device.
9. All lighting must comply with the Valley County Lighting Ordinance.
10. Shall place addressing numbers at each driveway and each building.
11. Must meet density requirements.
12. Shall place floodplain note on the final plat.
13. Shall place fiber optic conduit in road with utility lines if new utility lines are placed.
14. The final plat should be submitted 45 days before the Planning and Zoning Commission meeting.
15. Shall place a note on the face of the plat that states there shall be no disturbance of land within the 7 ½' setback to the BOR property, including hardened surfaces, decks, etc. Landscaping will be allowed, but there cannot be vegetation removal except for landscaping.
16. Stormwater management and pollution plan should be submitted for Lots 1-5 with the final plat showing review and approval by the Valley County Engineer.
17. A 70-foot dedicated public right-of-way along Dawn Drive will be platted in this subdivision.

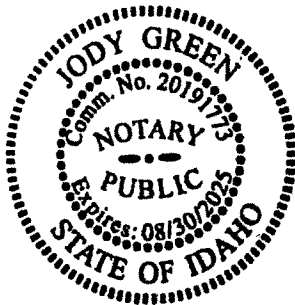
END CONDITIONAL USE PERMIT

Date April 20, 2021
Approved by Cynda Herrick

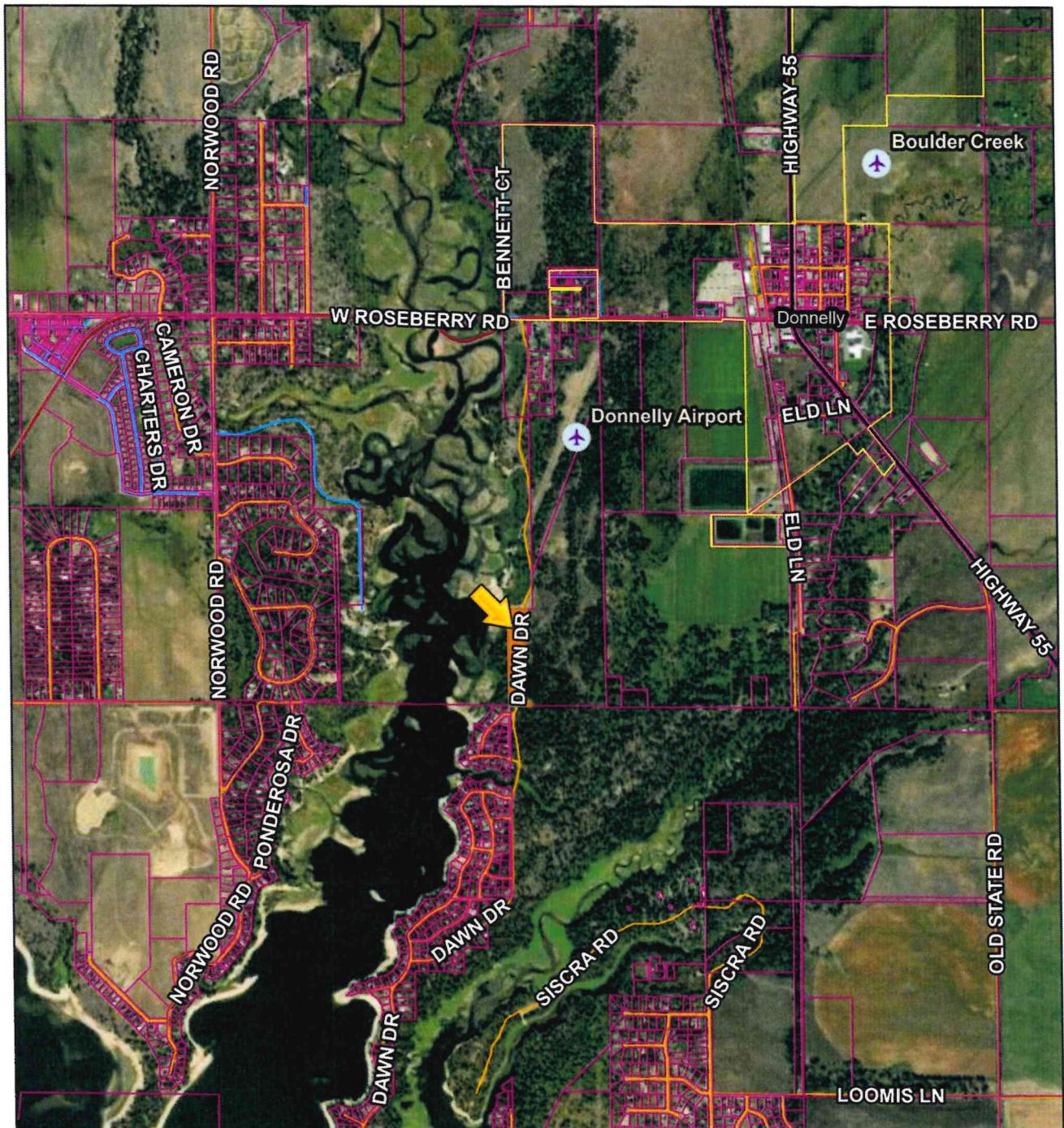
On this 20 day of April, 2021, before me, a notary public in and for said State, Cynda Herrick personally appeared, and is known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

Jody Green
Notary Public
Residing at: Valley County
Commission Expires: 8/30/25

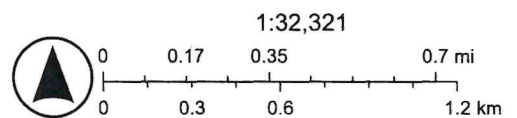


C.U.P. 21-09 Location Map



9/24/2025, 4:56:19 PM

-  Airstrips
-  Municipalities
-  Parcel Boundaries
- Roads**
 -  MAJOR
 -  MINOR COLLECTOR
 -  COLLECTOR
 -  URBAN/RURAL
 -  PRIVATE



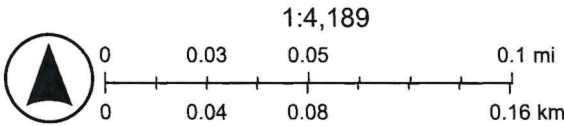
Maxar

C.U.P. 21-09 Aerial Map



9/24/2025, 4:50:33 PM

- Permits
- ◆ FP
 - ◆ VAC Roads
 - ◆ VAR
- Address Points
- Parcel Boundaries
 - URBAN/RURAL



Maxar

Google Maps – Aerial View - 2025



Dawn Drive, Looking Westerly (Source Google Maps – Street View, August 2024)



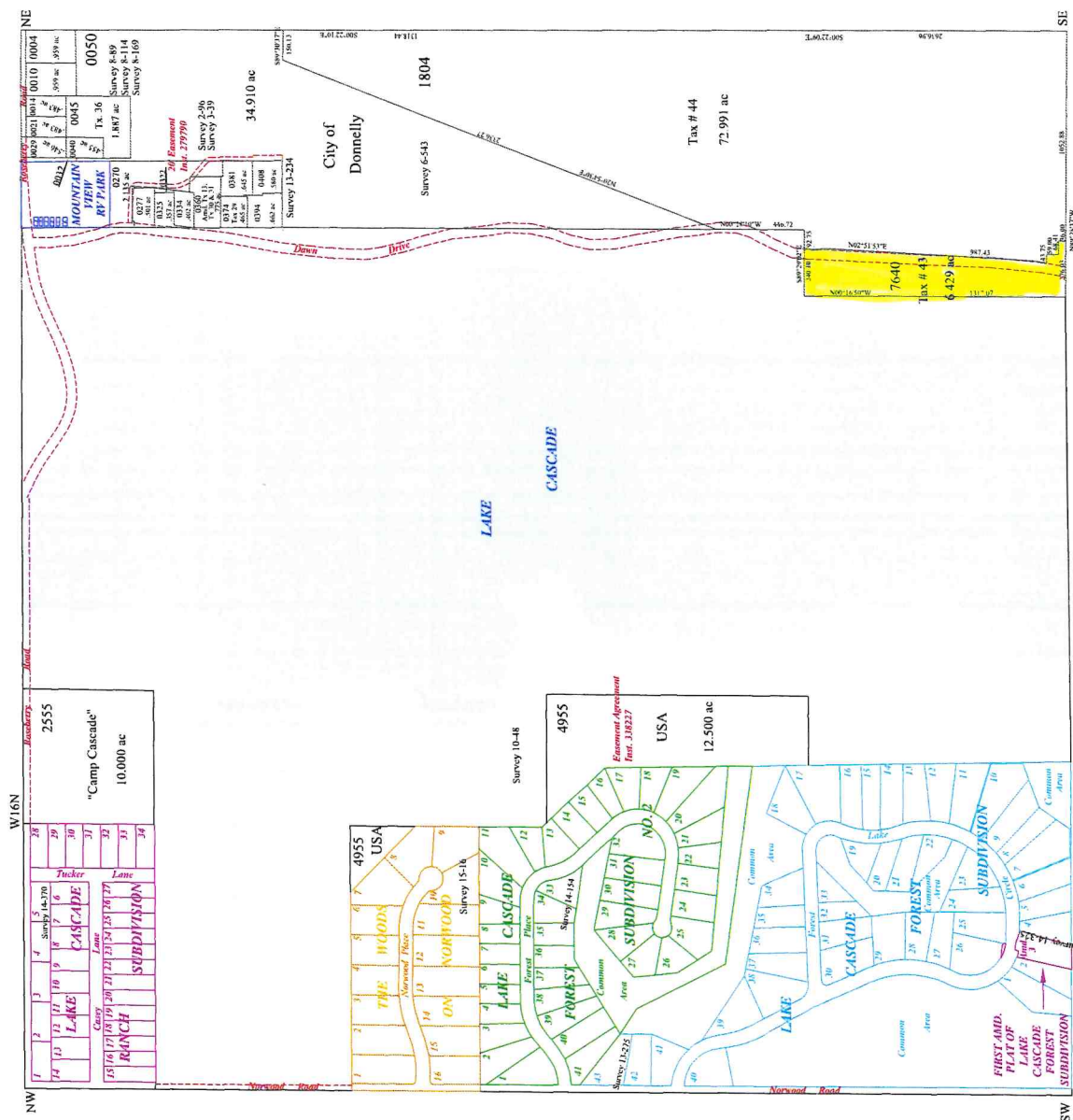
Dawn Drive, Looking Easterly (Source Google Maps – Street View, August 2024)



T W P . 1 6 N R O S E S E C . 1 6

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

Filename:	Valley County Base Map
Scale:	1"=100 ft
Date:	6/24/2025
Drawn by:	L Frederick



This Drawing is to be Used for Reference Purposes ONLY. The County is NOT Responsible for Any Inaccuracies Contained Herein.

COPPER ROCK SUBDIVISION



CERTIFICATE OF OWNERS

Know all men by these presents: That Baltimore Investment Group LLC, an Idaho Limited Liability Company is the owner of the property described as follows:

A parcel of land situated within the Southeast 1/4 of the Southeast 1/4 of Section 16, Township 16 North, Range 3 East, Boise Meridian, Valley County, Idaho being more particularly described as follows:

Commencing at the Section corner common to Sections 15, 16, 21, and 22 T. 16N. R. 3E. B.M. from which the Section corner common to Sections 15, 16, 21, and 22 T. 16N. R. 3E. B.M. bears North 89°28'37" West, 5333.76 feet; thence on the South boundary line of Section 16, North 89°28'37" West, 1,052.88 feet to the REAL POINT OF BEGINNING;

thence continuing on said south boundary line, North 89°28'37" West, 276.03 feet to the exterior boundary line of Laughing Bill Subdivision as filed in Book 10 of Plate at Page 343, records of Valley County, Idaho;

thence on said exterior boundary line the following two (2) courses and distances:

North 00°17'22" East, 1.22 feet;

North 89°25'28" West, 4.55 feet to the west boundary line of the Southeast 1/4 of the Southeast 1/4 of said Section 16;

thence on said west boundary line, North 00°16'50" West, 1,317.07 feet to the Southeast 1/16 corner of said Section 16;

thence on the north boundary line of the Southeast 1/4 of the Southeast 1/4 of Section 16, South 89°29'02" East, 240.10 feet;

thence bearing said north boundary line, 51.70 feet along the arc of a curve to the left having a radius of 115.00 feet, a central angle of 25°45'23" and a long chord which bears South 06°00'05" West, 51.27 feet;

thence South 06°52'39" East, 15.36 feet;

thence 58.98 feet along the arc of a curve to the right having a radius of 335.00 feet, a central angle of 09°44'32" and a long chord which bears South 02°00'23" East, 56.89 feet;

thence South 02°51'53" West, 987.43 feet;

thence 114.26 feet along the arc of a curve to the right having a radius of 835.00 feet, a central angle of 07°50'25" and a long chord which bears South 08°47'05" West, 114.17 feet;

thence South 89°28'37" East, 43.75 feet;

thence South 00°31'23" West, 59.00 feet;

thence South 89°28'37" East, 98.41 feet;

thence South 00°31'23" West, 36.00 feet to the REAL POINT OF BEGINNING

Containing 6.429 acres, more or less.

It is the intention of the undersigned to hereby include the above described property in this plat and to dedicate to the public, the public streets as shown on this plat. The easements as shown on this plat are not dedicated to the public. However, the right to use said easements is hereby perpetually reserved for public utilities and such other uses as designated within this plat, and no permanent structures are to be erected within the lines of said easements. All lots in this plat will not be served by any water system common to one (1) or more lots but will be served by individual wells (Idaho Code 50-1334). In compliance with the disclosure requirements of Idaho Code 31-3805, the land within this plat is not within an Irrigation District as defined in Idaho Code 31-3805 and the requirements in Idaho Code 31-3805 are not applicable.

Baltimore Investment Group LLC, an Idaho Limited Liability Company

Kevin F. Amar, Member

ACKNOWLEDGMENT

State of Idaho)

County of Ada) s.s.

On this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for said State,

personally appeared Kevin F. Amar, known or identified to me to be a member of Baltimore Investment Group LLC, an Idaho Limited Liability Company, the corporation which executed the within instrument and acknowledged to me that he executed the same of behalf of said corporation.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

My commission expires _____

Notary Public for Idaho
Residing in _____ Idaho

CERTIFICATE OF SURVEYOR

I, Cody M. McCammon, do hereby certify that I am a Professional Land Surveyor licensed by the State of Idaho, and that this plat as described in the "Certificate of Owners" was drawn from an actual survey made on the ground under my direct supervision and accurately represents the points plotted thereon, and is in conformity with the State of Idaho Code relating to plats and surveys.



COPPER ROCK SUBDIVISION

RECEIVED
FEB 22 2023
BY:

HEALTH CERTIFICATE

Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13 have been satisfied according to the letter to be read on file with the county recorder or their agent listing the conditions of approval. Sanitary restrictions may be reimposed, in accordance with Section 50-1326, Idaho Code, by the issuance of a Certificate of Disapproval.

Central District Health _____ Date

APPROVAL OF THE BOARD OF VALLEY COUNTY COMMISSIONERS

Accepted and approved this _____ day of _____, 20____, by the Valley County Commissioners.

Chairman _____

APPROVAL OF THE VALLEY COUNTY PLANNING AND ZONING COMMISSION

Accepted and approved this _____ day of _____, 20____, by the Valley County Planning and Zoning Commission.

Chairman _____

CERTIFICATE OF COUNTY SURVEYOR

I, the undersigned, Professional Land Surveyor in and for Valley County Idaho, hereby certify that I have checked this plat and that it complies with the State of Idaho Code relating to plats and surveys

Valley County Surveyor

CERTIFICATE OF COUNTY TREASURER

I, the undersigned, County Treasurer in and for the County of Valley, State of Idaho, per the requirements of I.C. 50-1308 do hereby certify that any and all current and/or delinquent county property taxes for the property included in this subdivision have been paid in full. This certification is valid for the next thirty (30) days only.

Date

County Treasurer



Valley Engineering, Inc.

CIVIL ENGINEERING | PLANNING | CADD
1119 E. STATE STREET, SUITE 210
BOULEVARD, ID 83810
TEL: 208-636-0013
WWW.VALLEYENGINEERING.COM



Donnelly Rural Fire Protection District

P.O. Box 1178 Donnelly, Idaho 83615

208-325-8619 Fax 208-325-5081

September 15 2025

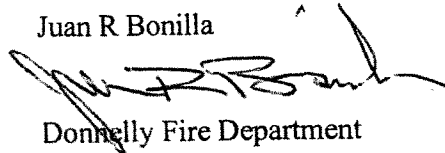
Valley County Planning & Zoning Commission
P.O. Box 1350
Cascade, Idaho 83611

RE: C.U.P. 21-09 Copper Rock Subdivision

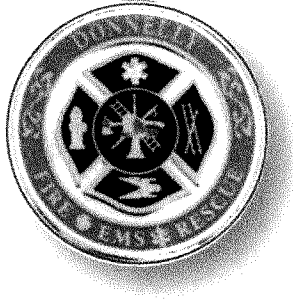
After review, Copper Rock Subdivision has met all DRFPD requirements.

Please call 208-325-8619 with any questions.

Juan R Bonilla



Donnelly Fire Department



Donnelly Rural Fire Protection District

P.O. Box 1178 Donnelly, Idaho 83615

208-325-8619 Fax 208-325-5081

September 19, 2024

Valley County Planning & Zoning Commission

P.O. Box 1350

Cascade, Idaho 83611

RE: C.U.P. 21-09 Copper Rock Subdivision – Final Plat Extension Request

After review, all prior requirements shall remain in effect.

Please call 208-325-8619 with any questions.

Jess Ellis

A handwritten signature in black ink, appearing to read "Jess Ellis".

Fire Marshal

Donnelly Fire Department



Donnelly Rural Fire Protection District

P.O. Box 1178 Donnelly, Idaho 83615

208-325-8619 Fax 208-325-5081

February 13, 2023

Valley County Planning & Zoning Commission

P.O. Box 1350

Cascade, Idaho 83611

RE: C.U.P. 21-09 Copper Rock Subdivision – Final Plat

After review, C.U.P 21-09 Copper Rock Subdivision has not met Donnelly Fire District requirements for final plat. Below are the items that need to be completed.

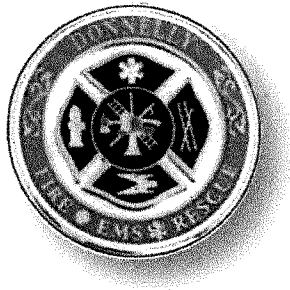
- Fire protection water storage tank specifications have not been submitted for review
- The connecting water line, automatic fill and float device have not been inspected or tested

Please call 208-325-8619 with any questions.

Jess Ellis

A handwritten signature in blue ink, appearing to read "Jess Ellis".

Fire Marshal
Donnelly Fire Department



Donnelly Rural Fire Protection District

P.O. Box 1178 Donnelly, Idaho 83615

208-325-8619 Fax 208-325-5081

March 30, 2021

Valley County Planning & Zoning Commission

P.O. Box 1350

Cascade, Idaho 83611

RE: 21-09 Osprey Point Subdivision – Preliminary Plat

After review, the Donnelly Rural Fire District Approves C.U.P. 21-09 Osprey Point Subdivision - Preliminary Plat with the following requirements.

- In accordance with **Section 507.1 IFC 2018** an approved water supply capable of supplying the required fire flow for fire protection shall be provided to the premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction
- The approved fire protection water supply will be one 10,000 gallon water storage tank, storage tank shall be connected to a well and have automatic fill capability.
- Tank specifications shall be submitted to DRFPD for review prior to installation. Tank shall be installed in an approved location, tank shall be inspected and approved by Donnelly Fire Department personnel prior to building permits being issued

Please call 208-325-8619 with any questions.

Jess Ellis

Fire Marshal

Donnelly Fire Department

Valley County Assessor's Office

P.O. Box 1350 • 219 N. Main Street
Cascade, Idaho 83611-1350
Phone (208) 382-7126 • Fax (208) 382-7187

SUE LEEPER

Assessor
sleeper@co.valley.id.us



Department of Motor Vehicles
Phone (208) 382-7141 • Fax (208) 382-7187

DEEDEE GOSSI

Chief Deputy Assessor
kgossi@co.valley.id.us

February 16, 2023

Cynda Herrick
Valley Co. P&Z Administrator
Valley County Courthouse
Cascade, Idaho 83611

RE: Final Plat Review "Copper Rock Subdivision "

Dear Cynda,

This letter is in response to your request for our office to review the final plat of the above referenced subdivision.

I have run a traverse of the subdivision boundary from the legal description provided on the Certificate of Owners. Enclosed you will find a copy. This **2024** proposed plat is a portion of a parcel referenced on the Assessment Roll as SESE; E/2 NESE; E/2 W/2 NESE; E/2 SENE; E/2 W/2 SENE, EXCEPT PT. AMENDED TAX NO. 4; S16 T16N R3E. The parcel number and ownership are as follows:

RP 16N03E161805 – Biltmore Investment Group LLC

I have enclosed a copy of the GIS plat, T16N R03E Section 16, with this proposed replat highlighted. We have found no discrepancies. Cynda, would you let the surveyor, Cody McCammon, know that per Note #7 on the plat face, we anticipate that a vesting deed to the North Lake Recreational Sewer and Water District will be recorded for Block 2 Lot 2 *after* this subdivision has been recorded.

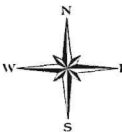
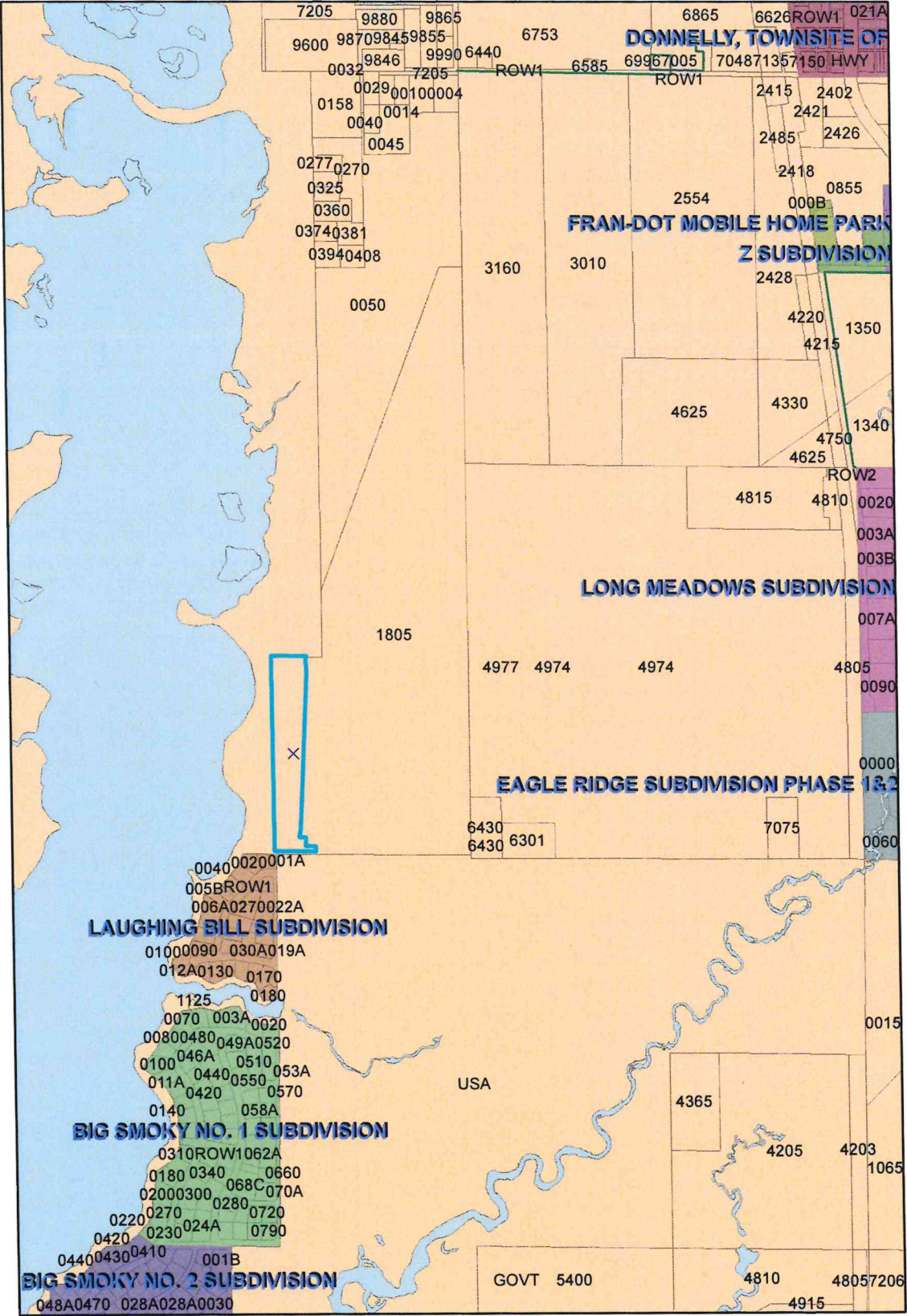
Please feel free to contact our office with any further questions or inquiries. Thank you for allowing us the opportunity to review this plat.

Sincerely,

Kathy Riffie
Cadastral Specialist Technician I
Valley County Cartography Department

Cc: Valley Co. Surveyor; Chip Bowers, Bowers Land Surveys, Inc.

Proposed "COPPER ROCK SUBDIVISION"
 Portion of RP16NO3E161805



- Legend**
- Proposed
 - Water
 - Parcels**
 - Parcels

This map or drawing is to be used for reference purposes only.
 The County is not responsible for any inaccuracies contained herein.

SENT VIA EMAIL

August 21, 2023

Ms. Cynda Herrick, AICP, CFM
Valley County Planning and Zoning Administrator
P.O. Box 1350
Cascade, ID 83611

Re: Copper Rock Subdivision (fka Osprey Pointe Sub.) – SWPPP Approval

Dear Cynda:

The Stormwater Pollution Prevention Plan (SWPPP) submitted on October 12, 2022, for the above referenced project provided the necessary erosion control measures and appropriate BMPs for the construction of the subdivision infrastructure and grading features as shown in the construction plan set submitted on August 31, 2022. Following my review of the SWPPP, I recommended approval of the plans and documents for the subdivision in an email dated, October 13, 2022.

The recommended approval included approval of stormwater management measures for the proposed grading along Lots 1-5 as part of the subdivision development. This approval should satisfy Condition No. 16 of C.U.P. 21-09 (as included in the Staff Report for the Valley County P&Z meeting held on March 9, 2023).

Individual lot development and construction by separate parties will require site specific stormwater management and pollution protection measures as required by Valley County prior to construction.

Please contact me with any questions or comments.

Sincerely,

PARAMETRIX
Valley County Engineer



Paul Ashton, P.E.

cc: Project File

Jeff McFadden / Valley County Road Department

Jason Polson, Biltmore Company

Tanner Amar, Biltmore Company