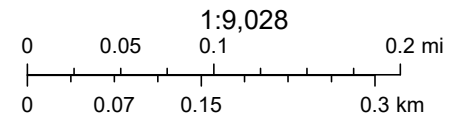


Canyon County, ID Web Map



6/10/2024, 9:21:49 AM

- | | | |
|--|---|--|
| Multiple Parcel Search _Query result | Roads | Major Collector |
| Hydro_NHDFlowline | CC_PrivateRoads | Imagery_2022 |
| CanyonCountyRoads | ITDFunctionalClassification | Red: Band_1 |
| Interstate | Interstate | Green: Band_2 |



Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/NASA, EPA, USDA

Canyon County, ID

Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/NASA, EPA, USDA | Nampa GIS | City of Nampa |



APPEAL OF DECISION APPLICATION

APPELLANT	NAME:	Jeff and Christy Ransom			
	MAILING ADDRESS:	16480 Goodson Rd. Caldwell, ID 83607			
	PHONE:	[REDACTED]	EMAIL:	[REDACTED]	
Property owner:		<input checked="" type="checkbox"/>	Other Appellant:	<input type="checkbox"/>	
Signature:		Christy K. Ransom		Date:	6/7/24

REPRESENTATIVE: IF DIFFERENT FROM THE APPELLANT	NAME:	Preston Rutter	
	COMPANY NAME:	Clark Wardle LLP	
	MAILING ADDRESS:	PO Box 639 Boise, ID 83701	
	PHONE:	[REDACTED]	EMAIL:

SITE INFO	STREET ADDRESS:	16480 Goodson Rd. Caldwell, ID 83607
	PARCEL NUMBER:	R37880011
	PARCEL SIZE:	10.75 acres

CASE NUMBER OF REQUESTED APPEAL:	CU2021-0016
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FOR DSD STAFF COMPLETION ONLY:

CASE NUMBER	CU2021-0016-APL	DATE RECEIVED:	6-4-2024
RECEIVED BY:	J. Almeida	APPLICATION FEE:	\$600
		CK	<input checked="" type="checkbox"/> CASH

CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT
111 North 11th Avenue, #310, Caldwell, ID 83605
zoninainfo@canyoncounty.id.gov - Phone: 208-454-7458
Revised 12/6/23



APPEAL OF DECISION CHECKLIST

GENERAL APPEAL PROCEDURE CCZO - Section 07-05-06 or 07-05-07

THE FOLLOWING ITEMS MUST BE SUBMITTED WITH THIS APPLICATION TO BE DEEMED COMPLETE (PLEASE CHECK OFF THE ITEMS REQUIRED):

Description	Applicant	Staff
Master Application completed and signed	<input checked="" type="checkbox"/>	
Letter of Intent/Statement of Reason	<input checked="" type="checkbox"/>	
Fee: \$600.00		

Fees are non-refundable

*DISCLAIMER: The subject property shall be in compliance with the public nuisance ordinance, the building code and the zoning code before the Director can accept the application.

RECEIVED

Preston B. Rutter

JUN 04 2024

RECEIVED

June 4, 2024

Sent via email to: Debbie.Root@canyoncounty.id.gov; Jennifer.Almeida@canyoncounty.id.gov

Debbie Root, MBA
Canyon County Development Services
111 N. 11th Ave.
Caldwell, Idaho 83605

Re: CU2021-0016 – Jeff Ransom – Notice of Appeal for CUP Application for Event Center at 16480 Goodson Rd.

Dear Board of County Commissioners,

As you may know, our firm represents Jeff and Christy Ransom (the Applicants). In light of the Planning and Zoning Commission's ("P&Z") narrow vote to deny ("Decision") the Applicant's request for a Conditional Use Permit for a small event venue at their residence addressed as 16480 Goodson Road ("Event Venue"), the Applicants now formally give the Canyon County Development Services Department notice of their appeal of said Decision (the "Appeal"). This Appeal is timely pursuant to Canyon County Code ("CCZO") 07-05-05 since P&Z signed its Findings of Fact, Conclusion of Law and Order on May 20, 2024 ("FCOs").

This letter includes a preliminary statement for the reasons of the Appeal, which the Applicants will supplement at a later date in greater detail, prior to the Materials Deadline that the Board of County Commissioners ("BOCC") ultimately sets for this Appeal. The letter is also accompanied by the filing fee.

Preliminary Statement of Reason for Appeal

Although the FCOs contain numerous erroneous findings and misguided conclusions, perhaps the most erroneous and misguided would be the razor-thin P&Z majority's reliance on the testimonies of objecting residents who provided absolutely no actual evidence to support their fears or concerns. **None**. It was fearmongering at its worst. The testimonies by residents could objectively

be characterized as follows: hysterical, unsubstantiated, belligerent, abusive toward the Applicants, and many times just patently false.

Under Idaho case law, the Idaho Supreme Court has found that when neighbors provide “no actual evidence to support [their] fears or concerns” and instead “allege in conclusory manner that [their] property rights have been prejudiced by the grant of a [conditional use] permit because of ‘noise, commercial traffic ... in the residential area,’” such complaints do not “constitute prejudice to a substantial right. *Krempasky v. Nez Perce Cnty. Plan. & Zoning*, 150 Idaho 231, 234, 245 P.3d 983, 986 (2010) (granting CUP to develop wedding and event center over objections from neighbors).

Taken at face value, their testimonies (made under oath) portray Goodson Road as if it were a high-mountain goat trail—with sheer drop-offs along the shoulder spelling mortal danger for even the slightest veering, a travel-surface so narrow that were any two travelers to pass on the road a fatal collision inescapably awaits, a dead-end so tight that any misoriented traveler would be stranded in purgatory, and so much snowfall accumulation that no traveler could possibly ever navigate it without spinning out of control and in the process fatally striking the residents’ kith and kin. If that characterization seems hyperbolic, then you have not carefully listened to the testimony set forth on the record. It was mind-boggling.

What belies the neighbors unsubstantiated fearmongering is actual evidence to the contrary. The travel surface width of Goodson Road is substantially similar, if not the same, as the highly-used Wagner Road. The shoulders of Goodson Road are functional and visibly distinct from the travel surface. And the dead-end was recently expanded specifically to enable large vehicles to turn around. Yet, for all the already-existing extreme dangers Goodson Road allegedly presents, it is very telling that none of the neighbors’ testimonies stated they had filed complaints or otherwise notified the Notus-Parma Highway District, who exercises jurisdiction over the road, or made any other serious attempts to improve Goodson Road. The public testimony before provided no relevant evidence. It was hysteria, not public discourse. And it was not based on actual evidence.

Goodson Road east of Wagner Road, in its current condition (without any further or additional improvements), is rated for up to 1,500 vehicles per day. Yet, based upon the residents’ testimony of Goodson Road, they would have you believe the additional traffic from small events would simply overwhelm the road’s capacity and lead to pile-ups, standings, and imminent mortal danger. Never mind that attendance would be capped at 150 guests plus staff. Never mind the Applicants’ Property has a designated on-site (yes, off-street) parking area almost an acre in size to accommodate all parking for their small events. Never mind the Applicants would be required to install a large circular driveway to seamlessly direct traffic flow off Goodson Road onto their Property and back on to Goodson Road through a newly constructed driveway exit in a safe and orderly fashion (which they would build at their own expense and to all applicable road standards).

Never mind all that – to say nothing of the significant limitations Applicants self-imposed as to hours of operation, noise controls, attendance caps, closures during inclement weather, and having a hotline to a designated on-site event coordinator— never mind all that. The first (and prevailing) motion, which came from Commissioner Mathews, was that there were no conditions that could possibly address the concerns raised by the residents. Such a logical inference was not supported

by substantial and **relevant** evidence that a reasonable mind might accept to support such a conclusion.

Two of the P&Z Commissioners saw the path clearly laid for approving Applicant's request with reasonable conditions to mitigate concerns that were in fact substantiated by actual evidence. Yet, by the slimmest of margins, a 3-2 vote breaking a 2-2 tie—which in and of itself indicates that the P&Z Decision was not a resounding, unanimous denial—the three “ayes” erroneously succumbed to the loudest, most emotionally charged voices, instead of discerning actual relevant evidence.

The Applicants respectfully submit this notice of appeal for the BOCC's consideration. We thank you and staff in advance for your time and attention to this matter. We look forward to working with staff to provide additional information to underscore the basis of this appeal and the opportunity to present before you so you can correct the outcome as it should have — to approve the application with reasonable conditions.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Preston B. Rutter". The signature is fluid and cursive, with the first name "Preston" and last name "Rutter" clearly distinguishable.

Preston B. Rutter
Representing Jeff and Christy Ransom

Canyon County Development Services

111 N. 11th Ave. Room 310, Caldwell, ID 83605
(208) 454-7458

Building Divsn Email: buildinginfo@canyoncounty.id.gov **Planning Divsn Email:** zoninginfo@canyoncounty.id.gov

Receipt Number: 82787

Date: 6/4/2024

Date Created: 6/4/2024

Receipt Type: Normal Receipt

Status: Active

Customer's Name: Preston Rutter / Clark Wardle

Comments:

Site Address: 16480 GOODSON RD, Caldwell ID / Parcel Number: 37880011 0

CHARGES

<u>Item Being Paid For:</u>	<u>Application Number:</u>	<u>Amount Paid:</u>	<u>Prevs Pymnts:</u>	<u>Unpaid Amnt:</u>
Planning - Any Decision Appealed to the Board	CU2021-0016-APL	\$600.00	\$0.00	\$0.00

Sub Total: \$600.00

Sales Tax: \$0.00

Total Charges: \$600.00

PAYMENTS

<u>Type of Payment:</u>	<u>Check/Ref Number:</u>	<u>Amount:</u>
Credit Card	157154568	\$600.00

Total Payments: \$600.00

ADJUSTMENTS

Receipt Balance: \$0.00

Issued By: Jalmeida