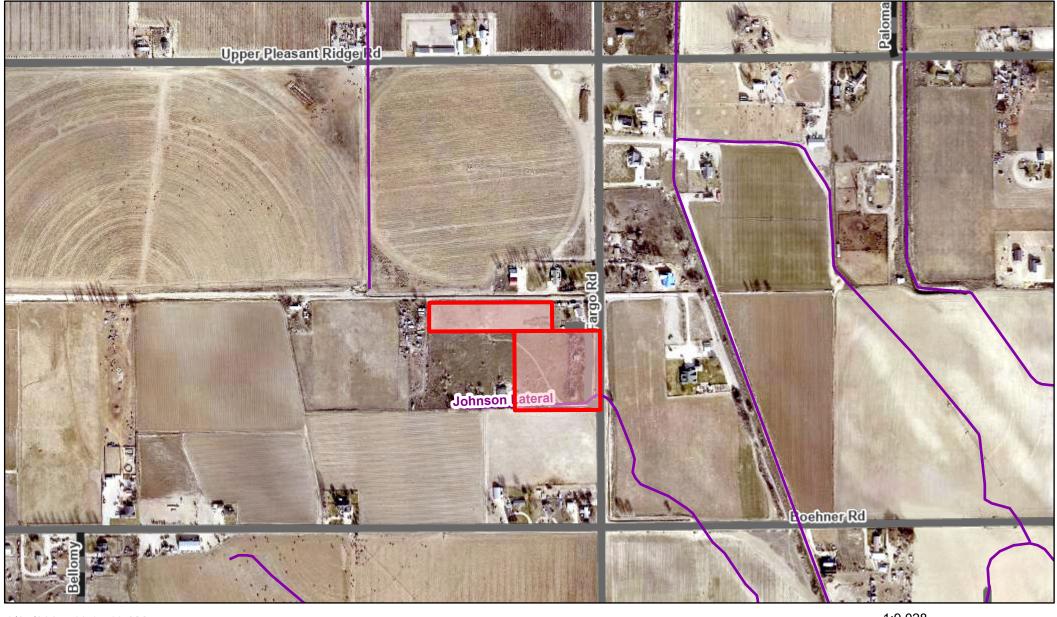
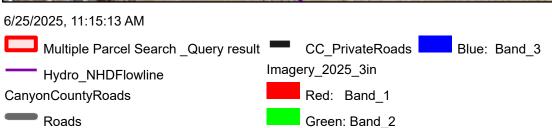
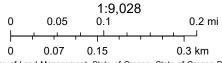
Canyon County, ID Web Map







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



APPEAL OF DECISION APPLICATION

1	- ·	f / Commissioners to enter the property for site please include business documents, including		
oignaturo. <u>P</u> 200				
APPLICANT: IF DIFFERING FROM THE				
PROPERTY OWNER	MAILING ADDRESS: PHONE: EMAIL:			
STREET ADDRESS: 18625 Facto Frond Wilder ID83676 + 2.60 acres PARCEL NUMBER: PARCEL SIZE: 5.01 + 2.60 acres				
CASE NUMBER OF REQUESTED APPEAL: AD2024 -0096 +837227010A				
FOR DSD STAFF COMPLETION ONLY:				
CASE NUMBER	AD2024-0091e-AP1	DATE RECEIVED: U 23 25		
RECEIVED BY: Arbay M APPLICATION FEE: \$1,100 CK MO CC CASH				



APPEAL OF DECISION CHECKLIST

GENERAL APPEAL PROCEDURE CCZO - Section 07-05-05 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	-/	V
Letter of Intent/Statement of Reason	V/	V
Fee: Per adopted fee schedule	V	\$1,000 V
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.

Date: June 22, 2025

Case Number: AD2024-0096

Letter of Intent

Thank you for your time and work as County Commissioners in the appeal process.

This appeal is for the case listed above. The non-viable application has not been handled professionally, by the county standards or as required by law within a reasonable amount of time. I have included many emails from early 2022 through June of 2025 with promised dates, responses, approvals and conflicting instructions. Our intent is to build a very nice home on each of the 2 parcels.

We applied in 2022 and followed all the steps, including an email confirmation in December(email documentation is included in this packet) of 2022 that due process would take place and that our case would be presented before the commissioners as we had completed the appeal documents, received confirmation that everything was in order for the appeal and that the case would be presented. We waited for months to hear back with no letter or results of the appeal. We requesting that they provide us with a copy of the results in October of 2023 and were informed that the case was never submitted or presented before the commissioners as was the civil due process. At that point, we were told that it would be taken care if administratively if we would withdrawal our first application. We included a detailed letter the new application stating the reason for the replacement application.

Another application for the exact same reason was submitted. We made all requested changes as instructed including paying for all survey, easements, road name, deeded ownership changes since, "everything looked good" for approval of the 2 lots. We were also informed that the director was okay with a building site on one of the two parcels after being told everything looked good for both. We were told we'd have a decision letter multiple times through 2024 and again by December 2024, as enclosed. We were contacted for a road name and the road name is now in place but the approval not completed. After an excessive amount of time past, a letter was provided in June if 2025 and we were required to pay to a appeal again.

The case should have fairly been presented before the commissioners at the allotted time at the beginning of 2023 as we had done all our due diligence and received confirmation that this would be done. It was not and we have already paid once without a full refund or fair and equal civil rights.

We were informed that since this didn't happen as we had paid and completed everything for the appeal, that this would be taken care of outside of having to go before the commissioners. We submitted the application again and changed everything with the surveyor and deeding to match EXACTLY as they specified, in writing, in order for it be approved administratively, and for them to avoid it being brought to light the negligence that had taken place and fair procedure that was to be have taken place according to the county's own written standards.

Upon submitting this appeal, we have still not received all supporting documents for the case. Early 2022 through June of 2025 is an excessive amount of time.

The land is useless as agricultural land as seen by the neighbor's sand lot to the south as well as the multiple photos we have submitted. We have tried to use the land but it is very sandy with poor water retention and is too quick to drain, not allowing the roots to absorb enough moisture. It is difficult to add nutrients to the soil as they leach out quickly, leaving growth to dry out too quickly. There is not enough irrigation water allotted to provide the needed water to

sustain growth. The field to the south of this property is extremely sandy as well with little nutritio for growth. The parcel to the east and west has many dead areas and growth issues. The lots are too small and difficult to water to make them useful as ag land.

We have been more than workable through all of this and already paid for an appeal process once. Over and over, negligence and misinformation has been provided via email and phone. The negligence has costed a lot of time and money.

I have nearly 100 emails and documents that follow the timeline and what took place. They were very concerned in October once they realized they had missed presenting our case before the commissioners and asked that we just allow them to take care of ours administratively, "knowing our situation, Jennifer would just try to get it taken care of" and gave us a list of items and survey changes they needed to make that happen. We made it very clear in our letter that this application was a replacement of the previous application since it was not presented as we were informed it would be. We have not cashed the check as what has taken place was not the legal procedure, due to negligence, was not the civil procedure nor what we were informed would happen as shown below.

I have included the communications with Dan Lister with further details as well. I appreciate your time and efforts in getting the building sites approved as was implied and stated multiple times in a 3+ year waiting time.

Thank you,

Roger and Rosetta White

Roger White Mosetta Maita

Canyon County, 111 North 11th Avenue, Suite 310, Caldwell, ID 83605

Zoning Dept: 208-402-4164 zoninginfo@canyoncounty.id.gov www.canyoncounty.id.gov

NOTICE OF DECISION

Date: June 6, 2025

RE: Administrative Land Division – Nonviable Parcel (CCZO §07-18-09)

White/RW Canyon County Properties LLC Case Name:

Case Number: AD2024-0096

To Whom it May Concern,

Should rend May 2024 W deturnated

On September 12, 2024, the Development Services Department accepted an application from Rosetta and Roger White (RW Canyon County Properties, LLC) to consider Parcel R37222011 and R37222010A as non-viable properties for agricultural uses pursuant to Canyon County Code Zoning Ordinance (CCZO) §07-18-09. The result of the request would have approved both the subject parcels for a residential building permit.

On June 5, 2025, the subject application was **denied** by the Director of Development Services. Any affected person, defined by Idaho Code §67-6521, who is aggrieved by the decision, may file a written notice of appeal with the Director of Development Services within fifteen (15) calendar days of the date of this letter. A notice of appeal must include the appropriate fee, include the date of appeal, the affected person's name, and the specific objections to the decision (CCZO §07-05-07).

Sincerely,

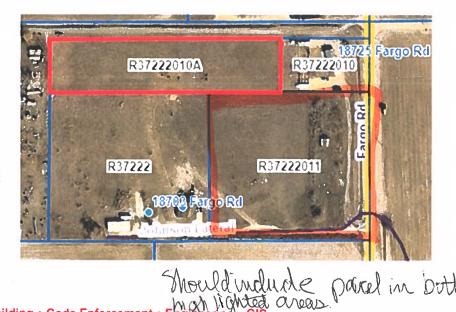
Madelyn Vander Veen

There

GIS Analyst

Canyon County Development Services madelyn.vanderveen@canyoncounty.id.gov

208-455-6035



Planning • Zoning • Building • Code Enforcement • Engine

43772200A +

While balancing diverse interests, the Canyon County Development Services Department (DSD) delivers community development services to implement the County's vision and values, provide stewardship of public resources, and maintain a prosperous future for all.



STATE OF IDAHO

AFFIDAVIT OF LEGAL INTEREST

I, Rosetta White	. 22922'	Boehner Road
(name)		(address)
Wilder	Tacho	83676
(city)	(state)	(zip code)
being first duly sworn upon oath, depose and say:		
1. That I am the owner of record of the property	y described on the atta	ched application and I grant my
permission to		
Rosetta Whate (name) to submit the accompanying application pertai		go Rd. + 2 60 A vie (address) Wilder, ID
to submit the accompanying application pertai	ning to the subject prop	ocity.
I agree to indemnify, defend and hold Canyon liability resulting from any dispute as to the st property, which is the subject of the applicatio	atements contained her	·
Dated this 23 day of Jun	2	_ ,20 _25 .
Resetta	Telute	
	(signature)	
STATE OF IDAHO)		
COUNTY OF CANYON)		
On this 23rd day of June, in the a notary public, personally appeared 2058 that	year 20 25, before r	me Megan Angiolini,
to me to be the person whose name is subscribed to	the within instrument,	, and acknowledged to me that
he/she executed the same.		
	Notary:	A
MEGAN ANGIOLINI COMMISSION #20250066 NOTARY PUBLIC	My Commission Exp	ires: <u>()</u> 1-21-31

To: Canyon County Development Services

From: Rosetta White

Re: case AD2022-0099-APL

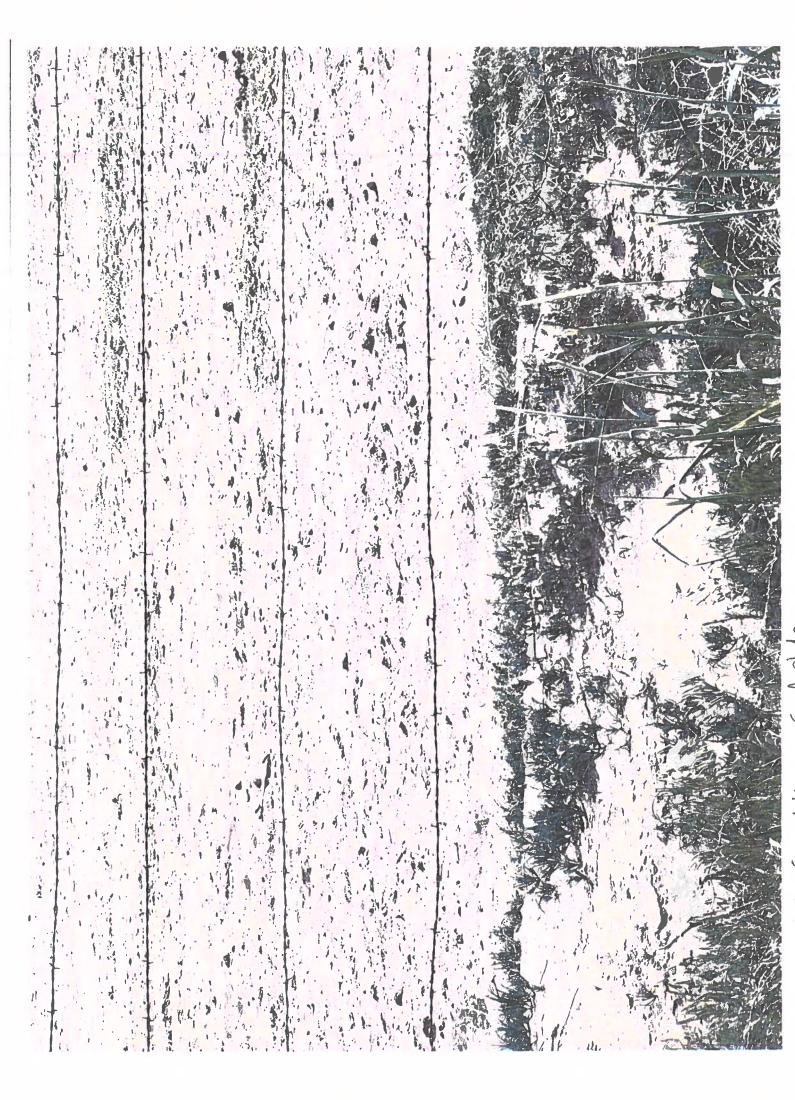
To whom it may concern, I would like to withdraw case AD2022-0099-APL. The case was not presented to the commissioners at the appropriate time and is being replaced with this application. Please apply the balance to the new application fee. I would in turn like to submit a new application for nonviable land use, application provided herein. The purpose of this application is to request build sites on Parcel R37222011 and R37222010A. Both parcels as well as all surrounding parcels are non-viable and pure sand. Also included is an easement reduction request to make access available for each home with the layout of the land. Thank you for your assistance.

Sincerely,

Roger and Rosetta White

17842 Send Boltow Kond valueti, Jahan moor (208) -45.4 (1933) www.saluekinaninten.com Land Survey PUBLINE · 405 St. A. S. 1875, 40 BA 141.8 Same, 1" . 100" Skinner ROSETTA WHITE Section to expensive and the section of the section CERTIFICATION IABEN No 454 313 1 C R OK CK K **Easements Used** RITEY FOR . . . BYPS CE BEYBAC BY SHE E DIV 1 LIFE FROM The second second state is a part of the second of 1 485 all 223:18 SURVEY A PORTON OF THE 11/2 SE 1/4 HE 1/4 OF SECTION 33, TOWNSHIP A NORTH, PANCE 5. NEST, BOIDE MERDIAN, CANYON CONTES, OAMO OF 449.55. 40.54,65.# RECORD . 25 Ags T-00.65.69A 2. 10 4. 15 The same of the same of the 3.60,50,0N Physical arts Age of the property of the party of the part ,-. . 'a. P. . 7.37."

Paved Approach Fargo Road Proposed Home Eusement 30" R37222011 16224 1504 Proposed Home R37222010A 162.24

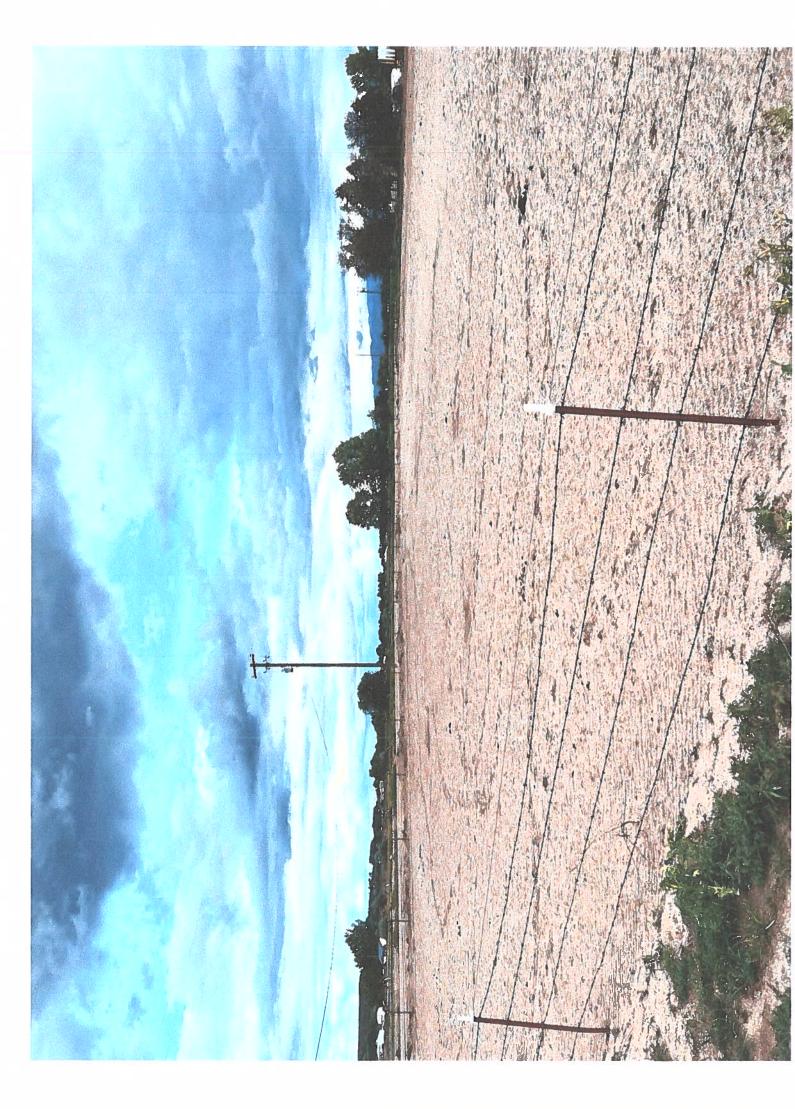


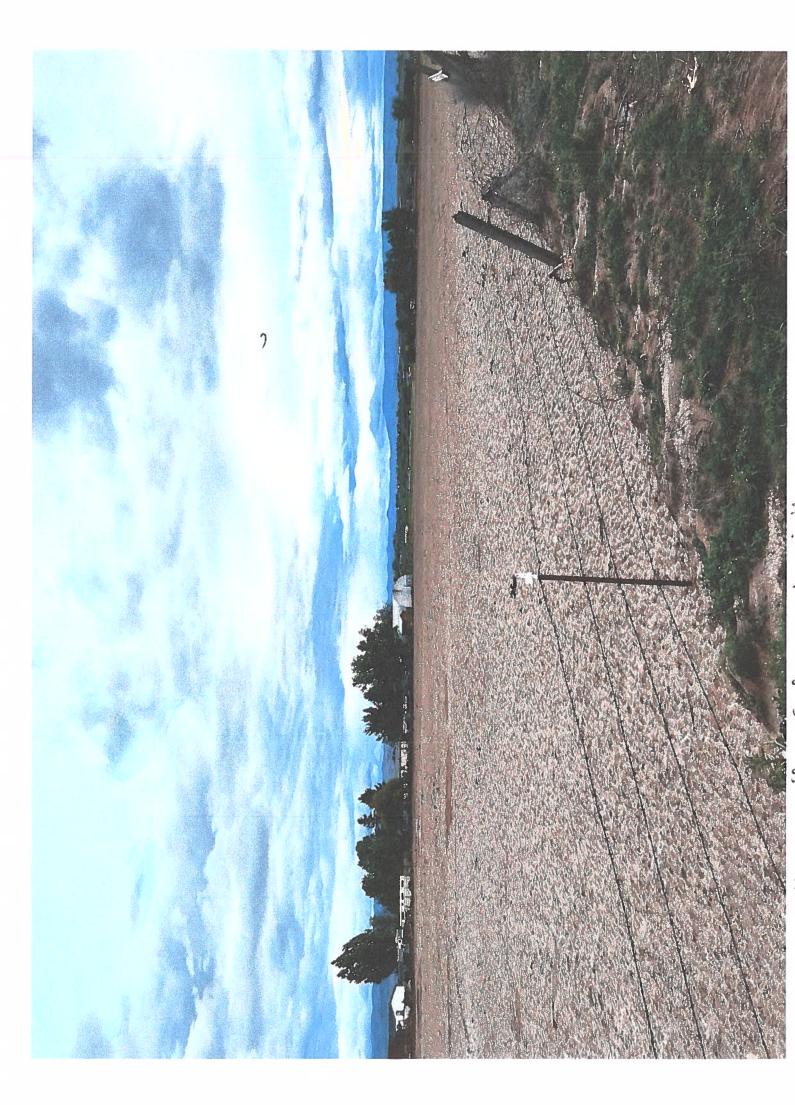


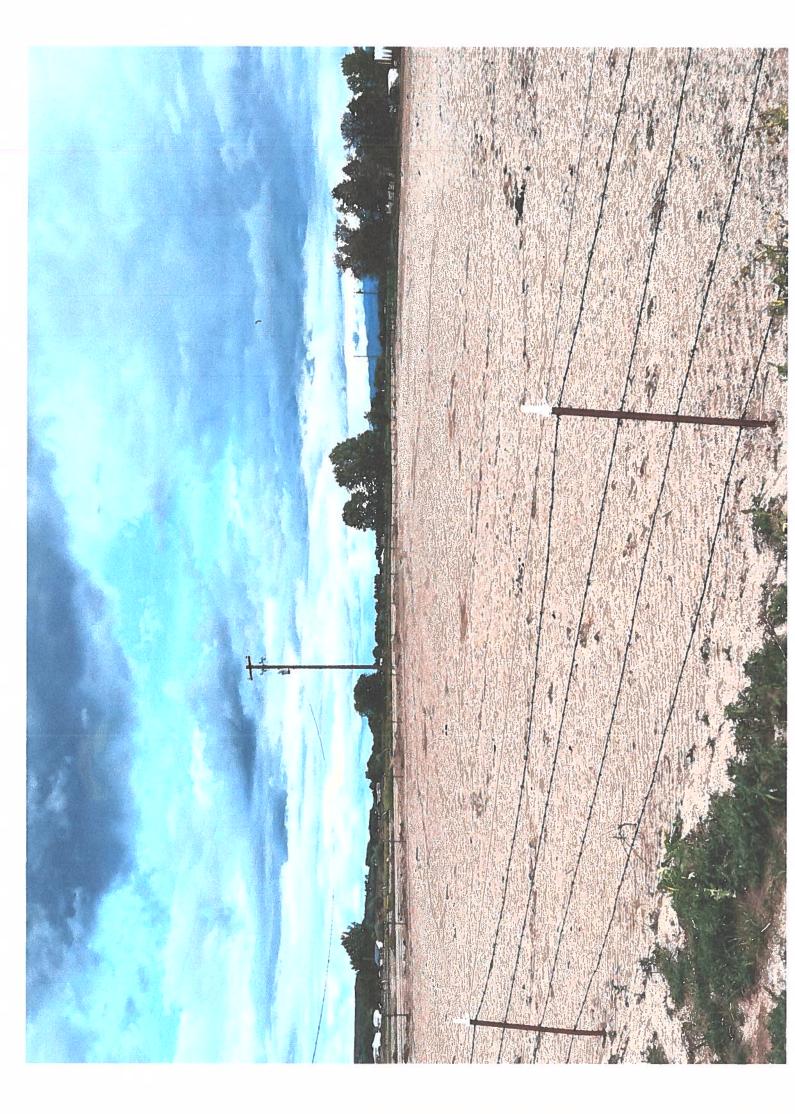


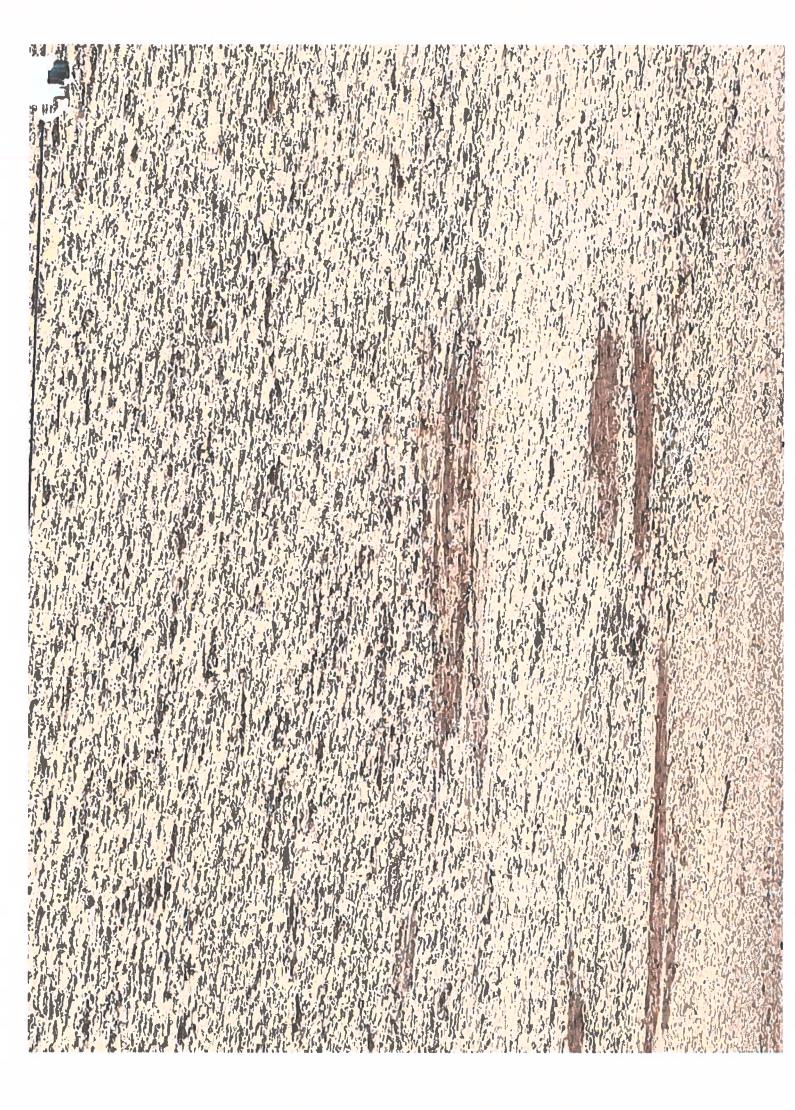




















Rosetta	White	

Nonviable land division AD2022-0099 - Code violation

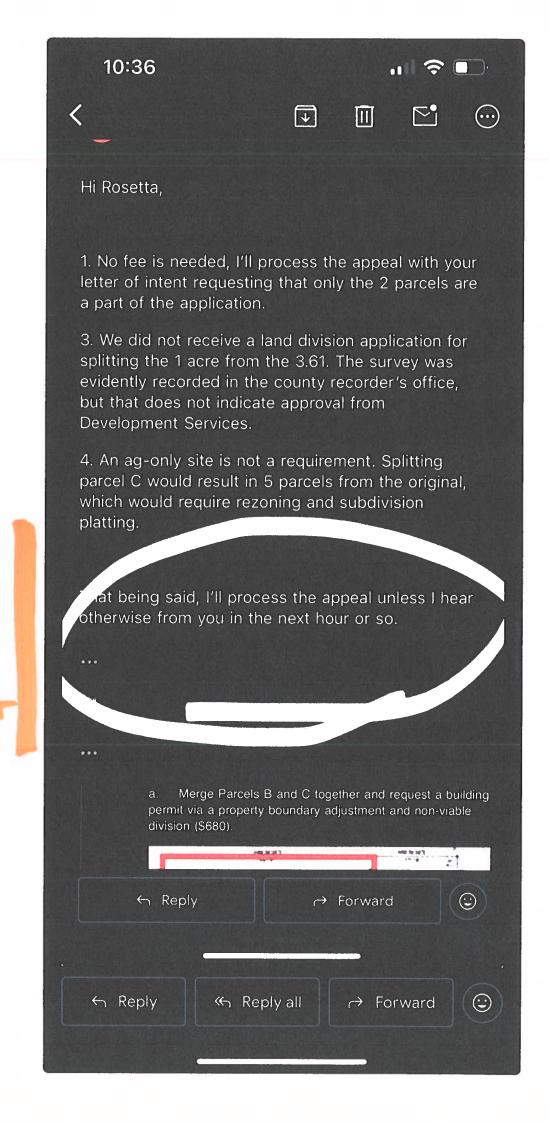
Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov>
To: Rosetta White

Thu, Nov 17, 2022 at 8:53 AM

Hi Rosetta,

Looks like you're good to go! I'll proceed with reviewing the case.

[Quoted text hidden]



To: Madelyn Vander Veen < Madelyn. Vander Veen@canyoncounty.id.gov > Subject: [External] Re: AD2022-0099-APL
Hi Maddy,
I hope you are feeling better and getting your strength back. Being sick is awful.
Thanks for your work on this and for the updates.
Sincerely,
Rosetta
On Mon, Nov 6, 2023 at 4:06 PM Madelyn Vander Veen < Madelyn.Vander Veen@canyoncounty.id.gov> wrote: Hi Rosetta,
I apologize for not getting back to you on the appeal case – I was sick for part of last week and am getting caught up. I will hopefully have something for you tomorrow or Wednesday.
Thanks,
Madelyn Vander Veen
Associate Planner, Canyon County Development Services
madelyn.vanderveen@canyoncounty.id.gov Direct: 208-455-6035
DSD public office hours:
Monday, Tuesday, Thursday and Friday: 8am – 5pm

From: Rosetta White

Sent: Monday, November 6, 2023 4:15 PM

Hi Madelyn,

Thank you for the update. It's much appreciated. I'm happy to get that revised survey to you.

Rosetta

On Thu, Nov 9, 2023 at 4:51 PM Madelyn Vander Veen Madelyn.VanderVeen@canyoncounty.id.gov wrote:

Hi Rosetta,

Quick update: I've drafted up an amended decision to see if the director will consider approving the case administratively, and I've asked another planner to review it first. I'll let you know what I hear back. If it's looking good, I will ask you for a revised survey showing only parcels R37222011 and R37222010A and including the 28' easement to parcel R37222010A.

Best.

Madelyn Vander Veen

Associate Planner, Canyon County Development Services

madelyn.vanderveen@canyoncounty.id.gov | Direct: 208-455-6035

DSD public office hours:

Monday, Tuesday, Thursday and Friday: 8am - 5pm

Wednesday: 1pm - 5pm

PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and as such may be copied and reproduced by members of the public.

Wednesday: 1pm - 5pm

PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and as such may be copied and reproduced by members of the public.

From: Rosetta White

Sent: Thursday, November 9, 2023 5:07 PM

To: Madelyn Vander Veen < Madelyn. Vander Veen@canyoncounty.id.gov>

Subject: Re: [External] Re: AD2022-0099-APL

Hi Madelyn,

Thank you for the update. It's much appreciated. I'm happy to get that revised survey to you.

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Madelyn Vander Veen

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madelyn.vanderveen@canyoncounty.id.gov | Direct: 208-455-6035

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Wednesday: 1pm - 5pm

PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and as such may be copied and reproduced by members of the public.

After discussing with the Director today, revising our decision is unfortunately not possible. Therefore, you have 2 options: (1) You can

In order to withdraw the appeal, please send an email to me stating that you wish to withdraw case AD2022-0099-APL and include the

When you submit a new application, please follow the attached checklist as you did when you submitted the first time. We do still requ

- · List parcels R37222011, R37222010A, and R37222010 on your application. My understanding is that you'll be applying for a no
- Please submit a survey with the application including parcels R37222011, R37222010A, and R37222010 as well as all the acce
- Additional evidence supporting the nonviability of the properties for farming purposes you did submit some information in the least 11370
- Information needed to meet County Code Section 07-10-03: https://codelibrary.amlegal.com/codes/canyoncountyid/latest/canyo
 - Please submit the required road users' maintenance agreement(s) every easement needs to be covered by a RUMA. Id-
 - Please include on your survey or site plan where the potential residence on parcel R37222011 will be taking access whe
 than \$330) to submit for a private road application now along with your land division rather than at the time of building per
 - If you want to stick with the 28' width for the new easement, please submit reasoning as to why an easement reduction is

I've attached the applications referenced in this email as well as your previous applications in case you need something from those fo

Best.

Madelyn Vander Veen

Associate Planner, Canyon County Development Services

madelyn.vanderveen@canyoncounty.id.gov | Direct: 208-455-6035

DSD public office hours:

Monday, Tuesday, Thursday and Friday; 8am - 5pm

Wednesday: 1pm = 5pm

PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Pu

From: Rosetta White

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Subject: Re: [External] Re: AD2022-0099-APL



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Best,

Madelyn Vander Veen

Associate Planner, Canyon County Development Services

madelyn.vanderveen@canyoncounty.id.gov | Direct: 208-455-6035



PDF

Rosetta White

Wed, May 15, 2024 at 2:39 PM

To: Madelyn Vander Veen < Madelyn. Vander Veen @canyoncounty.id.gov>

Hi Madelyn,

Are you able to open this file?

Thank you!
[Quoted text hidden]
Fargo_Admin_Land_Division_Packet 2024.pdf



-	hope you are having a great week! Could I get an update on the status of the application? Do you need anything else from me?
	Thank you,
4	Rosetta
1	On Wed, May 15, 2024 at 4:47 PM Rosetta White
	Awesome, thank you!!
	On Wed, May 15, 2024 at 4:40 PM Madelyn Vander Veen <madelyn.vanderveen@canyoncounty.id.gov> wrote:</madelyn.vanderveen@canyoncounty.id.gov>
	Yes, thank you! I'm trying to get caught up on some things but I will review it as soon as I can.
	Thanks,
	Madelyn Vander Veen
	Associate Planner, Canyon County Development Services
	madelyn.vanderveen@canyoncounty.id.gov Direct: 208-455-6035
	DSD public office hours:
	Monday, Tuesday, Thursday and Friday: 8am – 5pm
	Wednesday: 1pm – 5pm
	PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Id
	Franci December Walter
	From: Rosetta White Sent: Wednesday, May 15, 2024 2:40 PM
	To: Madelyn Vander Veen <madelyn. vander="" veen@canyoncounty.id.gov=""> Subject: [External] PDF</madelyn.>
	Hi Madelyn,
	Are you able to open this file?
	Thank you!
	-Rosetta
	Forwarded message
	From: Madelyn Vander Veen <madelyn.vander veen@canyoncounty.id.gov=""> To: "'Rosetta White"</madelyn.vander>
(
{	Date: Sat, 2 Dec 2023 00:05:50 +0000
,	Subject: RE: [External] Re: AD2022-0099-APL

Hello Rosetta,



Rosetta	White	

PDF

Rosetta White

Mon, Jun 3, 2024 at 10:14 AM

To: Madelyn Vander Veen < Madelyn. Vander Veen @canyoncounty.id.gov>

Hi Madelyn,

I hope you are having a great week! Could I get an update on the status of the application? Do you need anything else from me?

Thank you,

Rosetta

[Quoted text hidden]



Ro	setta	White	

PDF

Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov> To: Rosetta White

Fri, Jun 21, 2024 at 10:25 AM

Good morning Rosetta,

Apologies for the wait; thanks for your continued patience. I have some notes on your application I was hoping you could address before I accept it:

Required:

- Property owner signature(s) on master application
- Address the easement width reduction criteria: (1) Will the proposed reduction provide adequate access; (2) Do
 physical characteristics of the site require a width reduction; and (3) Would approval of the request cause injury,
 damage, or a safety hazard?

Highly recommended:

- Include parcel R37222010 in the application on the master application with property owner signature, letter of intent

 otherwise, please remove from the survey
- · Provide additional nonviable evidence
- Provide a Road Users' Maintenance Agreement for the easements
- State which easement parcel R37222011 will be using
- Submit a private road application

I've attached an old email which explains in further detail.

[Quoted text hidden]

----- Forwarded message -----

From: Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov>

To: "'Rosetta White'"

Cc: Bcc:

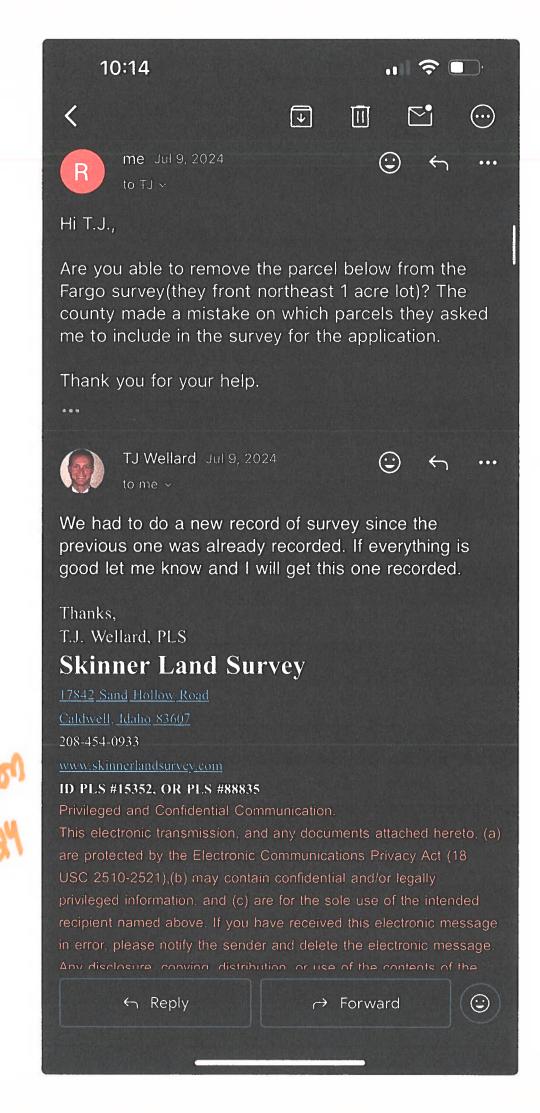
Date: Sat, 2 Dec 2023 00:05:50 +0000 Subject: RE: [External] Re: AD2022-0099-APL

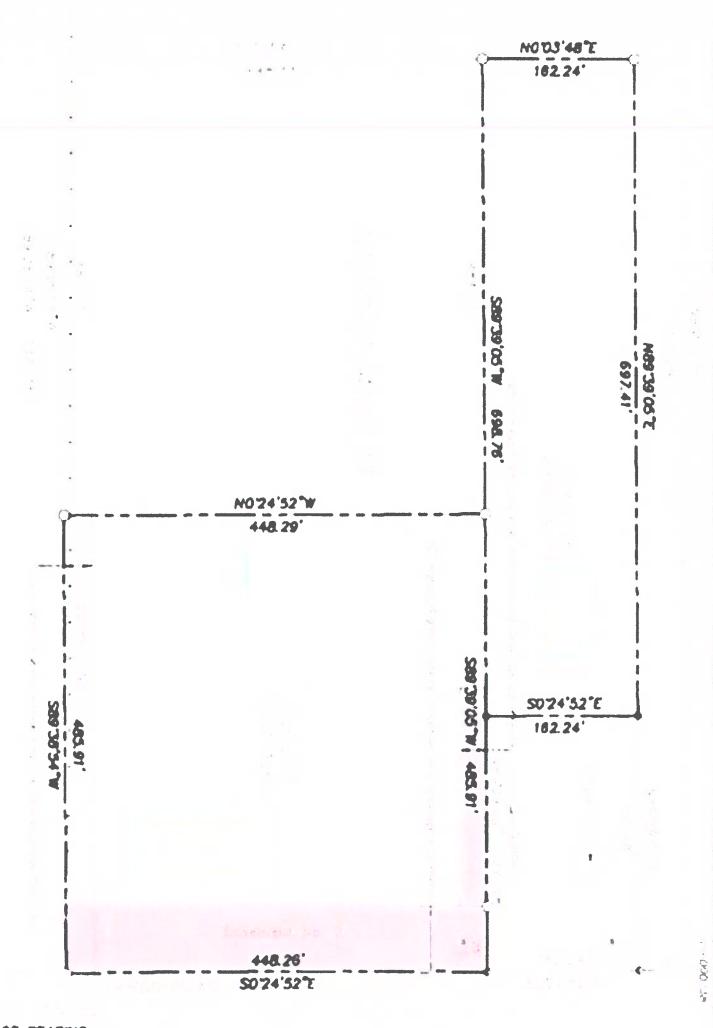
Hello Rosetta,

Dec 2, 2023

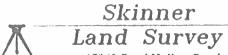
After discussing with the Director today, revising our decision is unfortunately not possible. Therefore, you have 2 options: (1) You can proceed with the appeal which will involve a hearing with the Board of County Commissioners, or (2) you can withdraw the appeal and submit a new application for a nonviable land division. As we discussed earlier today on the phone, I do recommend withdrawing the appeal and resubmitting since it will likely end up being a simpler and faster solution and the Director already knows your situation, but it's up to you.

In order to withdraw the appeal, please send an email to me stating that you wish to withdraw case AD2022-0099-APL and





Added exament as repassed.



17842 Sand Hollow Road Caldwell, Idaho 83607 (208)454-0933 WWW.SAINNERLANDSURVEY.COM Surveys(a)skinnerlandsurvey.com Thomas J. Wellard, PLS Rodney Clark, PE

May 30, 2022

Legal Description for Rosetta White Job No. MR1221

28 Foot Ingress/Egress Easement

This easement lies in the N ½ SE ¼ NE ¼ of Section 33 in Township 4 North, Range 5 West of the Boise Meridian, Canyon County, Idaho and is more particularly described as follows:

COMMENCING at the Northeast corner of the N ½ SE ¼ NE ¼, (N1/16E Corner, Section 33):

thence South 00° 24' 52" East along the East boundary of the N ½ SE ¼ NE ¼ a distance of 212.24 feet;

thence South 89°39'05" West, parallel with the North boundary of the N ½ SE ¼ NE ¼, a distance of 70.00 feet to the TRUE POINT OF BEGINNING;

thence continuing South 89°39'05" West a distance of 229.18 feet;

thence South 00°24'52" East, parallel with the East boundary of the N ½ SE ¼ NE ¼, a distance of 28.00 feet;

thence North 89°39'05" East, parallel with the North boundary of the N ½ SE ¼ NE ¼, a distance of 229.18 feet:

thence North 00°24'52" West, parallel with the East boundary of the N $\frac{1}{2}$ SE $\frac{1}{2}$ NE $\frac{1}{2}$, a distance of 28.00 feet to the **TRUE POINT OF BEGINNING**, said easement being subject to any and all easements and rights of way of record or implied.





Rosetta	White	

PDF

Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov> To: Rosetta White

Fri, Aug 30, 2024 at 4:20 PM

Hi Rosetta.

I just wanted to let you know I did receive this but I've been out sick today and part of yesterday and I'm scheduled to be out for all of next week so I'll have to review it when I get back. I just listened to your voicemail (what timing!) and I believe you would need to apply for a storage-only building permit for the manufactured home(s) if you're not planning on keeping them there long term. Feel free to contact the building department for more information on that. I'm not sure if they do a zoning review for storage-only manufactured homes or not (meaning you would have to wait for the division to be approved prior to submitting the permit).

Thanks.

Madelyn Vander Veen

Associate Planner, Canyon County Development Services

madelyn.vanderveen@canyoncounty.id.gov | Direct: 208-455-6035

DSD public office hours:

Monday, Tuesday, Thursday and Friday: 8am - 5pm

Wednesday: 1pm - 5pm

PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and as such may be copied and reproduced by members of the public.

From: Rosetta White

Sent: Thursday, August 29, 2024 6:57:19 AM

To: Madelyn Vander Veen **Subject:** Re: [External] PDF

[Quoted text hidden]

Thank	you
Roset	
	u, Sep 19, 2024 at 8:22 PM Rosetta White wrote:
Hil	Maddy,
Sou	and like a plant We are trying to line the timing up with the contractors so any updates are appreciated.
Tha	ink you.
Ros	petta
	Thu, Sep 19, 2024 at 2:04 PM Madelyn Vander Veen < Madelyn Vander Veen@canyoncounty.id gov> wrote; fi Rosetta,
١	(es, I will let you know. The comment period is 15 days. If everything looks good after that, it will just be a matter of how quickly I can get the decision drafted up and reviewed, while
T	hanks,
٨	fladelyn Vander Veen
P	associate Planner, Canyon County Development Services
п	nadelyn.vanderveen@canyoncounty.id.gov Direct: 208-455-6035
E	SD public office hours:
N	londay, Tuesday, Thursday and Friday⊩8am – 5pm
V	Vednesday: 1pm - 5pm
P	UBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act
S	From: Rosetta White Sent: Thursday, September 19, 2024 12.17 AM So: Madelyn Vander Veen <madelyn [external]="" gov≥="" id="" pdf<="" re:="" subject:="" td="" vanderveen@canyoncounty=""></madelyn>
H	li Maddy,
C	could you let me know once the letter has been sent out? Once that's been out for 14 days, can it be approved shortly after that if everything looks okay?
Т	hanks so much!
F	Posetta Cosetta
C	on Fri, Sep 13, 2024 at 10:30 AM Madelyn Vander Veen <madelyn gov="" vander="" veen@canyoncounty.id=""> wrote:</madelyn>
	Oh, perfect! I wasn't sure when they would get to it. You have a great Friday too.
	Madelyn Vander Veen
	Associate Planner, Canyon County Development Services
	madelyn.vanderveen@canyoncounty.id.gov Direct: 208-455-6035

DSD public office hours:

On Thu, Sep 12, 2024 at 2.19 PM Madelyn Vander Veen Madelyn VanderVeen@canyoncounty.id gov> wrote Hi Rosetta, Just following up on our phone call earlier today - Your application looks to be complete besides the fee. I checked and we are not able to transfer the fee you paid for the Thanks, Madelyn Vander Veen Associate Planner, Canyon County Development Services madelyn.vanderveen@canyoncounty.id.gov | Direct: 208-455-6035 DSD public office hours: Monday, Tuesday, Thursday and Friday: 8am - 5pm Wednesday: 1pm - 5pm PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public R From: Rosetta White Sent: Friday, August 30, 2024 4:29 PM
To: Madelyn Vander Veen @canyoncounty id. gov> Subject: Re: [External] PDF Hi Maddy, Glad I timed that well! Get to feeling better and I'll look forward to hearing back from you the following week Thank you, Rosetta On Fri, Aug 30, 2024 at 4,20 PM Madelyn Vander Veen <Madelyn VanderVeen@canyoncounty.id.gov> wrote: Hi Rosetta, I just wanted to let you know I did receive this but I've been out sick today and part of yesterday and I'm scheduled to be out for all of ne have to wait for the division to be approved prior to submitting the permit). Thanks, Madelyn Vander Veen Associate Planner, Canyon County Development Services madelyn vanderveen@canyoncounty.id.gov | Direct: 208-455-6035 DSD public office hours:

PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public

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Wednesday: 1pm - 5pm

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Rosetta White

PDF

Madelyn Vander Veen < Madelyn. Vander Veen@canyoncounty.id.gov>

Thu, Sep 12, 2024 at 2:19 PM

To: Rosetta White

Hi Rosetta,

Just following up on our phone call earlier today – Your application looks to be complete besides the fee. I checked and we are not able to transfer the fee you paid for the appeal to this application, but what we can do is process the appeal withdrawal with a refund of any fees not used and then you'll have to pay for the new application. The appeal fee was \$600. This application will be a total of \$760 (\$600 nonviable land division + \$80 easement reduction + \$80 private road name). will go ahead and send the withdrawal/refund over to our administrative staff to process. What address would you prefer for a check to be sent to?

[Quoted text hidden]

Proof of paid appeal fees. No appeal completed by ceruty.

On Wed, Oct 9, 2024 at 10:59 AM Madelyn Vander Veen Madelyn VanderVeen@canyoncounty.id.gov wrote:

Good morning Rosetta,

None of your proposed road names are available, could you send in at least three more options? We do have all the existing road names in a table linked at the top of the page here if you'd

Thanks,

Madelyn Vander Veen

Associate Planner, Canyon County Development Services

madelyn.vanderveen@canyoncounty.id.gov | Direct: 208-455-6035

DSD public office hours:

Monday, Tuesday, Thursday and Friday, 8am - 5pm

Wednesday: 1pm - 5pm

PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and as s

From: Rosetta White

Sent: Friday, September 27, 2024 4:06 PM

To: Madelyn Vander Veen < Madelyn Vander Veen@canyoncounty id gov>

Subject: Re: [External] PDF

Hi Maddy.

Awesome, thank you for letting me know and for doing that. Have a great weekend!

Rosetta

On Fri, Sep 27, 2024 at 4:04 PM Madelyn Vander Veen < Madelyn Vander Veen@canyoncounty id gov> wrote

Good afternoon Rosetta,

Thanks for checking in Ujust requested for the notices to be sent, so that will happen likely today or Monday.



Thanks,

Madelyn Vander Veen

Associate Planner, Canyon County Development Services

madelyn.vanderveen@canyoncounty.id.gov | Direct: 208-455-6035

DSD public office hours:

Monday, Tuesday, Thursday and Friday: 8am - 5pm

Wednesday: 1pm - 5pm

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Sept 2024

From: Rosetta White

Sent: Friday, September 27, 2024 2.08 PM

To: Madelyn Vander Veen <Madelyn Vander Veen@canyoncounty id gov>

Subject: Re: [External] PDF

Good afternoon, Maddyl

Could I get another update on how things are going on your end?



Rosetta	White	

PDF

Rosetta White

Tue, Oct 29, 2024 at 3:58 AM

To: Madelyn Vander Veen < Madelyn. Vander Veen @canyoncounty.id.gov>

Good morning, Maddy!

Would it be possible to get an update on the current status?

Thanks so much,

Rosetta [Quoted text hidden]

Happy HalloweenI		
Madelyn Vander Veen		
Associate Planner, Canyon County Development Services		
madelyn.vanderveen@canyoncounty.id.gov Direct: 208-455-6035		
DSD public office hours:		
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Wednesday 1pm - 5pm		
PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be	a public record and may be subject to disclosure under the Idaho	Public Records Act and as such may
From: Rosetta White Sent: Thursday, October 31, 2024 1:10 PM To: Madelyn Vander Veen < Madelyn Vander Veen@canyoncounty id gov> Subject: Re: [External] PDF		
Hi Maddy,		
We have a home we were hoping to install at Fargo that's being moved Monday. Could we park it at I	Fargo and deem it storage temporarily? Could I get an updat	e on this as well when you have a r
Thank you,		
Rosetta		
On Tue, Oct 29, 2024 at 3:58 AM Rosetta White Good morning, Maddyl		
Would it be possible to get an update on the current status?		
Thanks so much,		
Rosetta		
On Tue, Oct 15, 2024 at 5:43 AM Rosetta White Good morning Maddy,		
Thank you for the list! Here are a few more proposed name ideas.		
1) Rose View Drive		
2) Dusty Rose Lane		
3) Rusty Rose Lane		
Thank you,		
Rosetta		

You'll need to contact the building department about getting a permit for that. I would recommend doing that on parcel R37222 since it is a legal parcel and not agricultural only, unlike the other parcel

Hi Maddy,
I hope you had a great weekend! Just checking in again on this file for an update and to see if you need anything further from me?
Thank you for your time and help on this.
Rosetta White
Mountain Realty
(208) 695-5730
On Thu, Oct 31, 2024 at 4:06 PM Rosetta White wrote:
Hi Maddy,
Hanny Hallowson to you tool
Happy Halloween to you too!
Thank you for the info and update. I look forward to hearing from you.
Kind regards,
Rosetta
On Thu, Oct 31, 2024 at 3:37 PM Madelyn Vander Veen Madelyn.VanderVeen@canyoncounty.id.gov wrote:
Hi Rosetta,
You'll need to contact the building department about getting a permit for that. I would recommend doing that on parcel R37222 since it is a legal parcel and not agricultural only, unlike the other parcels. For an update, the case has gone through noticing, we received a couple comments, and I'll need to draft up the decision. I have been busy getting a case ready for hearing but I will get going on that as soon as I can.
Happy Halloween!



FW: Refund

Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov>

To: Rosetta White

Tue, Nov 19, 2024 at 9:44 AM

Hi Rosetta,

Missing Details

Just to clarify what has happened so far:

- March 2022: You applied for a nonviable land division.
- December 2022: It was denied by the Director. The reasons for denial are in the decision letter for that case.
- December 2022: You then appealed the denial to the Board of County Commissioners and at the same time changed the application in order to address some of those issues. A good chunk of time passed, as is unfortunately typical for hearing cases. During this time, I talked a lot with other staff/supervisors/the Director about the case. Typically, when an application has significantly changed, it is best to go through the initial application process again rather than go forward with an appeal since it is no longer an issue with the previous decision, it is a new request. Therefore, I had been working on a revised decision for the Director to sign rather than scheduling the appeal, but the Director felt that that was not possible per code unless a new application was submitted.
- December 2023: Per the Director, I recommended that you withdraw the appeal and submit a new application addressing all the concerns with the first application.
- May 2024: You withdrew the appeal and submitted the new application, however, it did not meet all the requirements for submittal or address all the concerns with the first application.
- September 2024: A complete application was accepted, which brings us to today, about 2 months from then.

Your appeal was not forgotten, it was withdrawn after my recommendation. This is not a replacement appeal, it is a new nonviable land division application which will be decided on by the Director. I do apologize if I didn't clearly communicate what was happening at the time. Let me know if you have any questions as always.

Thanks,

Madelyn Vander Veen

Associate Planner, Canyon County Development Services

madelyn.vanderveen@canyoncounty.id.gov | Direct: 208-455-6035

DSD public office hours:

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Rosetta White

PDF

Rosetta White

Fri, Dec 13, 2024 at 1:16 PM

To: Madelyn Vander Veen < Madelyn. Vander Veen@canyoncounty.id.gov>

Hi Maddy,

I hope you had a great weekend! Just checking in again on this file for an update and to see if you need anything further from me?

Thank you for your time and help on this. [Quoted text hidden]

Subject: Re: [External] PDF
Hi Maddy,
Thank you for the update.
Have a Merry Christmas!
Rosetta
On Wed, Dec 18, 2024 at 3:13 PM Madelyn Vander Veen < Madelyn. Vander Veen@canyoncounty.id.gov> wrote:
Hi Rosetta,
I have been working on the decision for your case with a goal of having it done by the new year but I'm not quite there yet. I don't need anything from you at this time. Thanks for checking in!
Thanks,
Madelyn Vander Veen
Associate Planner, Canyon County Development Services
madelyn.vanderveen@canyoncounty.id.gov Direct: 208-455-6035
DSD public office hours:
Monday, Tuesday, Thursday and Friday: 8am – 5pm
Wednesday: 1pm – 5pm
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From: Rosetta White

Sent: Friday, December 13, 2024 1:17 PM

To: Madelyn Vander Veen < Madelyn. Vander Veen @canyoncounty.id.gov>

Subject: Re: [External] PDF

We had an amazing Christmas and I hope you and your family did as well! Happy New Year!
There is a old well, building, fence, pole light and meter as well as a nice old tree along the easement that we're hoping not to take out.
Thank you for your work!
Rosetta
On Tue, Dec 31, 2024 at 4:21 PM Madelyn Vander Veen Madelyn.Vander Veen@canyoncounty.id.gov> wrote: Hi Rosetta,
I hope you and your family had a lovely Christmas! I am trying to get your case wrapped up and was hoping you could help me out with one of the requirements for an easement width reduction. The question is "Do physical characteristics of the site require a width reduction"? In your letter of intent, you stated "due to the layout of the lot the reduction to 28' is needed". Could you expand on that? The regular minimum width for easements is 60'. Is there a reason why a 60' easement cannot fit on the 5-acre parcel?
Thanks,
Madelyn Vander Veen
Associate Planner, Canyon County Development Services
madelyn.vanderveen@canyoncounty.id.gov Direct: 208-455-6035
DSD public office hours:
Monday Tuesday Thursday and Friday: 8am – 5pm

Wednesday: 1pm - 5pm

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From: Rosetta White

Sent: Wednesday, December 18, 2024 4:08 PM

To: Madelyn Vander Veen < Madelyn Vander Veen@canyoncounty.id.gov>

Yes, t	that is correct.
Thanl	k you,
Rose	tta
	nu, Jan 2, 2025 at 5:14 PM Madelyn Vander Veen <madelyn.vanderveen@canyoncounty.id.gov> wrote:</madelyn.vanderveen@canyoncounty.id.gov>
Hii	Rosetta,
Are	e those all along the northern 28' easement? The one along Fargo Road is 70' so no reduction is needed there.
Tha	anks,
Ma	idelyn Vander Veen
As	sociate Planner, Canyon County Development Services
ma	adelyn.vanderveen@canyoncounty.id.gov Direct: 208-455-6035
DS	D public office hours:
Moi	nday, Tuesday, Thursday and Friday: 8am – 5pm
We	dnesday: 1pm – 5pm
	BLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and y be subject to disclosure under the Idaho Public Records Act and as such may be copied and reproduced by members of the blic.
Ser To:	om: Rosetta White nt: Tuesday, December 31, 2024 8:59 PM Madelyn Vander Veen < Madelyn. Vander Veen @canyoncounty.id.gov> bject: Re: [External] PDF

Hi Maddy,

On Fri, Jan 3, 2025 at 11:54 AM Rosetta White
Hi Maddy,
I think Dusty Rose Lane would be nice if it's available.
Thank you!
Rosetta
On Fri, Jan 3, 2025 at 9:04 AM Madelyn Vander Veen NaderVeen@canyoncounty.id.gov wrote:
HI Rosetta,
One more question for you – you proposed the following road names:
1) Rose View Drive
2) Dusty Rose Lane
3) Rusty Rose Lane
Is Rose View Drive your preferred road name, or which of these is your top pick?
Thanks,
Madelyn Vander Veen
Associate Planner, Canyon County Development Services
madelyn.vanderveen@canyoncounty.id.gov Direct: 208-455-6035
DSD public office hours:
Monday, Tuesday, Thursday and Friday: 8am - 5pm

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Wednesday: 1pm - 5pm



Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov>

Tue, Jan 14, 2025 at 4:47 PM

To: Rosetta White

HI Rosetta,

Yes, I did see your last email. I apologize, I've been preparing for a hearing tomorrow, so I hope to be in contact with you about the case in the next couple days.

Thanks,

Madelyn Vander Veen

Associate Planner, Canyon County Development Services

madelyn.vanderveen@canyoncounty.id.gov | Direct: 208-455-6035

DSD public office hours:

Monday, Tuesday, Thursday and Friday: 8am - 5pm

Wednesday: 1pm - 5pm

PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and as such may be copied and reproduced by members of the public.

From: Rosetta White

Sent: Tuesday, January 14, 2025 4:35 PM

To: Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov>

Subject: Re: [External] PDF

Hi Maddy,

Just making sure you received my last email and checking in on a status update?

Thank you!



$\Gamma U \Gamma$

Madelyn Vander Veen < Madelyn. Vander Veen @ canyon county. id. gov>To: Rosetta White

Fri, Jan 17, 2025 at 4:27 PM

Hi Rosetta.

I did try to call you but your voicemail was full, so feel free to give me a call if you'd like to talk through things.

Here is my update – the Planning Supervisor is okay with the 2.6 acre parcel (R37222010A) with a condition of no secondary residences, but he does not feel that we can support the 5-acre parcel (R37222011). He's okay with the 2.6-acre parcel because it does resolve the nonconforming division, it is a smaller parcel, and it doesn't add any more potential residences from what was previously approved with the condition of no secondary residences. With the 5-acre parcel, the evidence for nonviability is pretty much just the pictures of the soil, and our soil map shows that there should be decent quality soil there. When you add in the fact that it was divided off as an agricultural-only parcel, the agricultural activities happening around the parcel, and even what looks like grazing on our aerial imagery, it is hard to say that it is truly not viable for agriculture. If you do not agree with that, please send me any more evidence you have regarding why agricultural use of the parcel is extremely difficult.

Thanks,

Madelyn Vander Veen

Associate Planner, Canyon County Development Services

madelyn.vanderveen@canyoncounty.id.gov | Direct: 208-455-6035

DSD public office hours:

Monday, Tuesday, Thursday and Friday: 8am - 5pm

Wednesday: 1pm - 5pm

PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and as such may be copied and reproduced by members of the public.

From: Rosetta White

Sent: Tuesday, January 14, 2025 4:50 PM

To: Madelyn Vander Veen < Madelyn. Vander Veen @canyoncounty.id.gov>

Subject: Re: [External] PDF





PDF

Rosetta White

Tue, Jan 21 at 12:48 PM

To: Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov>

Hi Maddy,

The 5 acres hasn't been used for grazing for at least the past 10 years and as kind before that as I can remember. We tried growing grass and fenced in the 2.6 acres but it died out and we had to haul in hay for the cows and have moved them out since it working grow their either. I'm not sure what pasture they are looking at but I'm happy to meet someone out there to show them. The neighboring property in the photo to the south doesn't try to grow pasture anymore either. He has horses in there and it's completely sand as well.

Thank you,

Rosetta [Quoted text hidden]



Rosetta White

PDF

Rosetta White

Tue, Feb 11 at 8:48 AM

To: Madelyn Vander Veen < Madelyn. Vander Veen@canyoncounty.id.gov>

Hi Maddy,

Just following up on this email sent in Jan.

Hope you're having a great week! [Quoted text hidden]



Land Division Application - AD2024-0096

Rosetta White

Fri, Jun 6 at 12:33 PM

To: Dan Lister < Dan.Lister@canyoncounty.id.gov>

Cc: Zach Brooks <Zach.brooks@canyoncounty.id.gov>, Jay Gibbons <Jay.Gibbons@canyoncounty.id.gov>

Hi Dan,

Thank you for taking the time to review this. I hope you are able to take this over and make the need corrections. We started this process in early 2022.

You are missing some very important information within these time gaps that they are trying to cover through the timeline of events. This email below very clearly states in December if 2022 that the case WAS being presented before the commissioners at their next meeting. This did not happen and no further notification was provided until October of the next year when we once again requested for an update on the results. We went through everything and made it exactly as they wanted it to read in order to be presented before the commissioners. The case should have fairly been presented before the commissioners at the allotted time. We were informed that since this didn't happen as we had paid and completed everything for the appeal, that this would be taken care of outside of having to go before the commissioners. We submitted an additional application and changed everything, once again, with the surveyor and deeding to match EXACTLY as they specified, in writing, in order for it be approved administratively, and for them to avoid it being brought to light the negligence that had taken place, and fair procedure that was to be have taken place according to the county's written standards. The land is useless as agricultural land as seen by the neighbor's sand lot to the south as well as the multiple photos we have submitted. We have been more than workable through all of this and already paid for an appeal process once. Over and over, negligence and misinformation has been provided via email and phone. The negligence has costed a lot of time and money.

The road name is now showing within the maps and we paid to have everything, including easements corrected and added to meet all their requirements because "everything looked good." There is also an emailing stating the 2.61 was fine to be approved. I have attached a copy of that email as well. I would ask that you also review the timeframe and gaps which took place before receiving responses. An unreasonable amount of time.

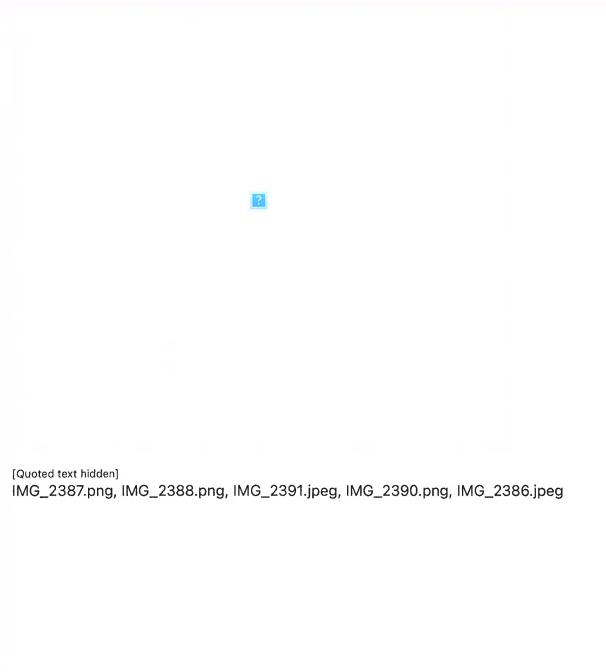
To recap, we were told via email and by phone December 30, 2022 that this WOULD be presented before the commissioners as we had paid and completed everything for the appeal as they needed in order for it to be presented. NO communication, denial or update was received until October of 2023 when we requested the results of the case being presented before the commissioners! Knowing they made a big mistake, they gave us an entire list of survey, name recording and documentation changes that needed to be made and told that they would just process it administratively. Stating that the director simply made this decision not to present the case WITHOUT notifying us, is not acceptable and was said only to cover the fact that the case was not presented according to procedure with all the other appeals. Everything was provided in writing from the county that we had provided everything necessary, payment made and in all was in order to present it to the commissioners. See attached email stating this.

If you have documentation that was sent to us between the appeal submission, confirmation of receipt, payment and email stating it WOULD be presented before the commissioners and that we had met the deadline for the next presentation, please provide that. There is none.

I have nearly 100 emails and documents that follow the timeline and exactly what took place if you need copies of all. They were very concerned in October once they realized they had missed presenting our case before the commissioners and asked that we just allow them to take care of ours administratively, "knowing our situation, Jennifer would just try to get it taken care of" and gave us a list of items and survey changes they needed to make that happen. We made it very clear in our letter that this application was a replacement of the previous application since it was not presented as we were informed it would be. We have not cashed the check as what has taken place was not the legal procedure, due to negligence, was not the civil procedure nor what we were informed would happen as shown below.

Thank you for your time and help in resolving this.

Rosetta





Land Division Application - AD2024-0096

Dan Lister < Dan.Lister@canyoncounty.id.gov>

Wed, Jun 18 at 2:16 PM

To: Rosetta White

Cc: Zach Brooks <Zach.Brooks@canyoncounty.id.gov>, Jay Gibbons <Jay.Gibbons@canyoncounty.id.gov>, Madelyn Vander Veen <Madelyn.VanderVeen@canyoncounty.id.gov>

Rosetta,

On June 5, 2025, Case AD2024-0096 was denied by the Development Service Department (DSD). See attached decision. You have until June 23, 2025, (end of business day) to appeal the request. See attached application.

As previously found by DSD, your appeal in 2022 was withdrawn (AD2022-0099-APL), and a new application was submitted, AD2024-0096. Since the appeal was withdrawn, all actions associated with the AD2022-0099, are closed and cannot be transferred to the current application, AD2024-0096. Therefore, if you want to appeal the denial of AD2024-0096, a new appeal application must be submitted. Below is the timeline regarding the actions taken on AD2022-0099 (previous application) and AD2024-0096 (current application):

- March 2022: You applied for a nonviable land division (AD2022-0099).
- December 2022: It was denied by the Director of DSD.
- <u>December 2022</u>: An appeal of the decision was submitted (<u>AD2022-0099-APL</u>). The appeal included additional information and revisions. When an application has been significantly changed, it is a new request and should be processed through a new application, not an appeal. The Director felt that it was not possible to continue per code unless a new application was submitted.
- <u>December 2023</u>: Per the Director, it was recommended that you withdraw the appeal and submit a new application addressing all the concerns with the first application.
- May 2024: You withdrew the appeal and submitted the new application (\$450 was refunded, Appeal case closed). The current application, AD2024-0096, was submitted. Upon initial review of the application, it did not meet all the requirements for submittal or address all the concerns with the first application.
- September 2024: A complete application was accepted and processed (AD2024-0096).
- June 5, 2025: Findings required to approve a non-viable land division could not be made. Therefore, Case AD2024-0096 was denied.

Sincerely,

[Quoted text hidden] AD2024-0096_1.pdf, PH_Appeal.pdf

Missing details of time line. See e-mails.



Director's Decision - AD2024-0096 Administrative Land Division - Canyon County Code of Ordinances §07-18-09

Canyon County Development Services Department

CASE NUMBER: PARCEL NUMBER:

AD2024-0096/RD2024-0023 R37222011 & R37222010A

PROPERTY OWNER:

RW Canyon County Properties LLC

APPLICANT/REPRESENTATIVE:

Rosetta White

ANALYST:

Madelyn Vander Veen

DECISION: DENIED - see page 9.

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1.	Request	1
2.	Property History	1
3.	Findings	2
4.	Decision	9
5.	Exhibits	11
	Exhibit A: Record of survey and site plan	

Exhibit B: Letter of intent

Exhibit C: January 21, 2025 email from applicant

Exhibit D: Photos from application

Exhibit E: Comment from Golden-Gate Highway District Exhibit F: Comment from Cameron & Shawnisti Stansell

Exhibit G: Comment from Burton Dayton Exhibit H: Comment from Bryan Mikkelsen

Exhibit I: Comment from Dan Weitz

Exhibit J: Historical aerial imagery from Google Earth

Exhibit K: 2022 aerial imagery Exhibit L: Soil suitability map

REQUEST:

The applicants are requesting a nonviable administrative land division to approve the existing parcels R37222011 (5.001 acres; Parcel C in Exhibit A) and R37222010A (2.60 acres; Parcel B in Exhibit A). The result of the division would allow both parcels to be eligible for residential building permits. The parcels are zoned "A" (Agricultural). The request includes an easement reduction for a new 28 ft easement and a new private road name. The parcels are not in a city impact area.

PROPERTY HISTORY:

The original parcel consisted of all 4 subject parcels (CCZO §07-02-03). Parcels R37222 (5 acres), R37222010 (3.6 acres) and R37222011 (5 acres) were created by land division (AD2017-31). R37222011 was designated as agricultural only. Parcel R37222010 was then split creating R37222010A without county approval. The survey from this split (Inst. #2021-034187) also designates R37222010A as "agriculture-only", however, it is under the 5-acre minimum state requirement for an agriculture-only parcel. A previous request for a nonviable administrative land

division was denied (AD2022-0099). An appeal was submitted but withdrawn and this amended application was submitted instead (communication can be found in Exhibit C).

FINDINGS:

Table 1. Administrative Land Divisions – Application and Process

Application and Process - Decision (07-18-05(6)):

- A. If the application meets the requirements of this section, the director may approve the division. The director may attach conditions to the approval if applicable.
- B. If the request is approved, the director shall issue a letter of approval setting forth the details and requirements of the division.

C	ompli	ant	County Ordinance and Staff Review	
Yes	No	N/A	Code Section	Analysis
			07-18-05(1)	The following shall be provided with all applications for land divisions pursuant to this Article: A. Application; B. Fees; C. Site plan showing all lots and access locations; D. An irrigation plan (if applicable); E. Proof that any required conditions of county approvals are met (if applicable)
			Staff Analysis	A complete application was accepted on September 12, 2024. An irrigation plan was not submitted.
			07-18-05(2)	Parcels divided pursuant to this Chapter with slopes greater than fifteen percent (15%) shall not be disturbed without an engineered grading and drainage plan consistent with section 07-17-33(1)C.
			Staff Analysis	The subject property does not contain slopes over 15% according to the USGS slope map.
			07-18-05(3)	The subject property shall be in compliance with the public nuisance ordinance (chapter 2, article 1 of this code), the building code (chapter 6 of this code), and this chapter before the director can approve the application.
×			Staff Analysis	The subject property complies with the public nuisance ordinance (Chapter 2, Article 1 of the Canyon County Code) and the building code (Chapter 6). Division of parcel R37222010A from parcel R37222010 was not done in conformance with the zoning code (Chapter 7). If approved, this application would make the division conforming. There are no previous conditions of approval on the property. There have been two code violations involving unpermitted structures on the property (CDEF2019-0005, CDEF2021-0037). Both cases have been resolved with the structures being removed.
			07-18-05(4)	Notification of the application shall be provided to the applicable fire and highway districts and shall provide such districts a period of fifteen (15) calendar days from the date of notice to submit comments concerning the application.
\boxtimes			Staff Analysis	Golden-Gate Highway and Wilder Fire Districts were notified on September 30th, 2024. Golden-Gate Highway District submitted a comment stating that the existing access be utilized for both parcels and that a recorded access easement in accordance with the 2022 Association of Canyon County Highway Districts Highway Standards & Development Procedures (ACCHD Standards) be provided

				/P. J. U. C. Mall
				(Exhibit E). Wilder Fire District did not submit a comment within the 15-day time period.
			07-18-05(5)	Pre-approval Decision: the following shall be provided after receiving pre-
				approval of the site plan from director.
		1		A. Record of Survey with metes and bounds descriptions of all lots that shows
				access from each parcel complies with the requirements of section 07-10-03: of
				this chapter, and that includes all existing and necessary easements;
			Staff Analysis	A draft survey along with metes and bounds descriptions of all lots showing
				access in compliance with §07-10-03 was included in the application.
			07-18-05(6)	Decision:
				A. If the application meets the requirements of this section, the director may
				approve the division. The director may attach conditions to the approval if
				applicable.
		\boxtimes		B. If the request is approved, the director shall issue a letter of approval
				setting forth the details and requirements of the division.
			Staff Analysis	The application meets the requirements of section 07-18-05 per the above
				analysis, however, it does not meet the requirements of section 07-18-09 as
				detailed below.
			07-18-05(7)	Appeal by Affected Person: Any affected person who is aggrieved by the decision
				may file a written notice of appeal in accordance with section 07-05-07 of this
				chapter.
			Staff Analysis	No analysis needed.
			07-18-05(8)	Required Language on Approvals: Language from the Idaho Right To Farm Act
			C1 (C A 1 :	shall appear on administrative land division approvals.
			Staff Analysis	Idaho Code 22-4503: No agricultural operation, agricultural facility or expansion
		⊳		thereof shall be or become a nuisance, private or public, by any changed
Ĺ.J		\boxtimes		conditions in or about the surrounding nonagricultural activities after it has been
				in operation for more than one (1) year, when the operation, facility or expansion
				was not a nuisance at the time it began or was constructed. The provisions of this
				section shall not apply when a nuisance results from the improper or negligent
				operation of an agricultural operation, agricultural facility or expansion thereof.

Table 2. Administrative Division of Nonviable Parcels in an Agricultural Zone

			vision of Nonvia	ble Parcels in an Agricultural Zone (07-18-09)
Com	pliant		County Ordina	nce and Staff Review
Yes	No	N/A	Code Section	Analysis
X			07-18-09(1)	Purpose: The director shall have the authority regarding the division of nonviable land within an "A" (Agricultural) zone, in whole or in part, where the result of the division limits negative impacts to adjacent agricultural uses.
			Staff Analysis	The subject parcels are zoned "A" (Agricultural).
	П		07-18-09(2)	Minimum Parcel: The proposed parcel created and its remnant shall be at least one (1) acre in size.
	احا		Staff Analysis	The parcels are 2.60 acres and 5 acres. The remnants of the division, which are not a part of this case, are also at least one (1) acre in size.
X			07-18-09(3)	Application: The applicant shall submit to DSD an application for a director's administrative decision along with the appropriate fee, including requirements of Section 07-18-05 of this chapter. Submittal shall also include the following:

			Staff Analysis	A complete application was accounted an Santa I
			07-18-09(3)A	— I The state of t
				Evidence demonstrating the land, in whole or in part, is nonviable for agricultural use; and
			Staff Analysis	The application did not include sufficient in the sample of the sample o
				The application did not include sufficient evidence. Further analysis is found in 07-18-09(5)C.
			07-18-09(3)B	
	100			Evidence demonstrating the result of the request will minimize potential negative impacts to adjacent agricultural uses.
ш	×		Staff Analysis	The application did not include sufficient avidence 5
				The application did not include sufficient evidence. Further analysis is found in 07-18-09(5)D.
			07-18-09(4)	Notifications: Upon acceptance of an application, DSD shall, by mail, provide
				notification of the proposed division to the owners of parcels which are
				contiguous to the subject parcel(s) and to the owners of parcels which are
				Within six hundred feet (600') of the outcome! he will be a second to the outcome!
				within six hundred feet (600') of the external boundaries of the subject parcel(s)
			134	and shall provide such individuals a period of fifteen (15) calendar days from the
				date of the mailing to submit comments concerning the proposed division.
				Notification of the application shall also be provided to the applicable fire and
		1		highway districts and shall provide such districts a period of fifteen (15)
				calendar days from the date of notice to submit comments concerning the application.
			Staff Analysis	
X			, , , , , , , , , , , , , , , , , , , ,	Golden-Gate Highway District and Wilder Fire District were noticed on September
				30th, 2024. Golden-Gate Highway District requested that the existing access be
				utilized for both parcels and that a recorded access easement in accordance with
				the 2022 Association of Canyon County Highway Districts Highway Standards &
				Development Procedures (ACCHD Standards) be provided (Exhibit E). Wilder Fire District did not comment.
				District did not comment.
				Property owners within 6000
				Property owners within 600' were noticed on September 30th, 2024, with four (4) comments received (Exhibits F through I).
				- Cameron & Shawnisti Stancell 10/0/2004 To 11
			Í	- Cameron & Shawnisti Stansell - 10/8/2024: Email in opposition with photos
				- Burton Dayton - 10/12/2024: Email in opposition
		}		- Bryan Mikkelsen - Received 10/15/2024: Letter in opposition
			07-18-09(5)	- Dan Weitz – Received 10/15/2024: Letter in opposition
				Evaluation and Determination of Application: The director shall evaluate each
		\boxtimes		application on an individual basis and shall exercise discretion in determining
	_	-		whether or not to approve such an application with consideration given to each of the following requirements:
			Staff Analysis	or the following requirements:
			07-18-09(5)A	The parcel(s) must be all it is a line in
3			Staff Analysis	The parcel is eligible for division; and
_		~	July Analysis	The parcel is eligible for division under CCZO §07-18-09 (Administrative Division of
			07-18-09(5)B	Nonviable Parcels in an Agricultural Zone) based on the property history.
			J. 20-03(3)B	The subject property shall be in compliance with the public nuisance ordinance
				(Chapter 2, article 1 of this code) and the building code (chapter 6 of this code)
3			Staff Analysis	before the director can approve the application; and
-]	-wyj miurysis	The subject property complies with the public nuisance ordinance (Chapter 2,
			}	Article 1 of the Canyon County Code) and the building code (Chanter 6) Division
				of parcel R37222010A from parcel R37222010 was not done in conformance with
				the zoning code (Chapter 7). If approved, this application would make the division

conforming. There are no previous conditions of approval on the prop have been two code violations involving unpermitted structures on the (CDEF2019-0005, CDEF2021-0037). Both cases have been resolved wit structures being removed. O7-18-09(5)C The parcel, in whole or in part, shall consist of land with site constraint resource issues, such as lack of water, suitable soils, topography, land compatibility, lot size or configuration, that makes productive agricul extremely difficult; and Staff Analysis The applicant's letter of intent (Exhibit B) indicates that the soil is "pure that the property to the south is also very sandy, and that there have be failed attempts to farm the subject property over the last 30 years (see also). The applicant also provided photos of the soil (Exhibit D). Based on the review of all information and comments submitted, there enough evidence demonstrating that either parcel suffers from site constraints/resource issues making productive agricultural uses extrem difficult. Per CCCO §07-02-03, agriculture is defined as "Tilling of soil, pasturage, farms, horticulture, aquaculture, viticulture, floriculture, raising crops differently in the soil of the soil	e property in the ints and/or tural use
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	ractly
from the soil, raising livestock, poultry, poultry products, dairy animals of	nd dairu
products, deekeeping or beekeeping products, fur animals, trees grown	n row
Crop Justilon, fruits of all kinds and their products, floral and ornamental	and
greennouse products, including all uses and facilities customarily access	ary and
incidental thereto, including, but not limited to, the storage and wareho	icina of
fertilizers or agricultural produce or raw products" and viable farmland i	defined
as "Land that is capable of producing marketable farm animals or crops"	. The
following evidence demonstrates that the subject property consists of la	nd
capable of producing marketable farm animals or crops.	
The parcels do not currently have agricultural tax exemptions, but it app	11 4
they did prior to 2013, when the Assessor determined that the parcels w	gars that
in agricultural production. To qualify for an ag-exemption, the parcel mu	ere not
the ground is in agricultural production.	at brove
No information was given on irrigation. It appears that the property was	irrigated
until 2006 based on aerial imagery (Exhibit J). All properties in the vicinit	/ annear
to be irrigated and in some kind of agricultural use other than the subject	,
properties, parcel R37222 which is also under the applicant's ownership	the
parcel to the south mentioned in the letter of intent, and some smaller p	arcels to
the northeast (Exhibit K).	
The soils on the parcels are class 4 /moderately suited to	
The soils on the parcels are class 4 (moderately-suited) per Canyon Count Map (Exhibit L). The subject parcels are sloped about 0-3% according to t	y's Soil
slope map.	ne USGS
The parcels are approximately 2.6 acres and 5 acres, which is on the small	
for agriculture. However, the applicant chose to divide the properties as t	er and

She rights to Daytons, the property to the west.

from the original 20-acre parcel, using the "agricultural only" provision to divide

				from the original 20-acre parcel, using the "agricultural only" provision to divide off parcel R37222011 and dividing parcels R37222010 and R37222010A without						
				an application or approval.						
				Letters of opposition received indicate the parcel has supported viable, agricultural uses and has been in active agricultural production for hay, alfalfa, and pasture since the 1990s and that irrigation water is available but not being used. (Exhibits F and G).						
			07-18-09(5)D	The division shall not create a negative impact to surrounding agricultural uses. The director may include conditions of approval to mitigate potential negative impacts.						
	X		Staff Analysis	The proposed division would create a negative impact to surrounding agricultural uses. Based on the review of all information and comments submitted, there is not enough evidence demonstrating the development will not be impactful to surrounding agricultural uses. The application did not address impacts to agricultural uses. Without any buffers, building envelopes, or mitigation conditions, residential development may impact adjacent parcels' agricultural production. Letters of opposition were received with concerns regarding impacts to traffic and property values (Exhibits F-I).						
			07-18-09(6)	The applicant has the burden of proving that the application meets these requirements.						
	57			A. Deliberate action to withhold agricultural land from productive use strictly to qualify for a land division pursuant to this section shall disqualify such land from treatment under this section.						
			Staff Analysis	There may have been deliberate action to withhold the property from productive use in order to qualify for a land division. Based on the analysis in section 07-18-09(5)C, the property was irrigated and in agricultural use at least until 2006. Additionally, the property was divided seemingly with the intention of residential development. The division of the property by the applicant does not create a site constraint.						
			07-18-09(7)	Decision, Division of Nonviable Parcel: A. If the application meets the requirements of this section, the director may approve the division into fewer than five (5) parcels from the original parcel. The director may attach conditions to the approval which limits the						
×										B. If the request is approved, the director shall issue a letter of approval setting forth the details and requirements of the division. C. The director shall give notice of the decision granting or denying the
			Staff Analysis	The application does not meet the requirements of this section.						
				This document is the letter of denial and includes the details and requirements (conditions) of the division. Notice of denial will be given to those previously notified.						
		×	07-18-09(8)	Appeal by Affected Person: Any affected person who is aggrieved by the decision may file a written notice of appeal in accordance with section 07-05-07 of this chapter.						

	X	07-18-09(9) Staff Analysis	Onetime Only Division: Once a nonviable parcel in an agricultural zone has been approved, there shall be no other administrative land division from that land regardless of ownership of any of the land involved.
		07-18-09(10)	Required Language on Approvals: Language from the Idaho Right To Farm Act shall appear on administrative land division approvals.
		Staff Analysis	Idaho Code 22-4503: No agricultural operation, agricultural facility or expansion thereof shall be or become a nuisance, private or public, by any changed conditions in or about the surrounding nonagricultural activities after it has been in operation for more than one (1) year, when the operation, facility or expansion was not a nuisance at the time it began or was constructed. The provisions of this section shall not apply when a nuisance results from the improper or negligent operation of an agricultural operation, agricultural facility or expansion thereof.

Table 3. Private Road Name

Street Names (06-05-13): The naming or renaming of streets or private roads in the County shall be subject to the following standards: Compliant **County Ordinance and Staff Review** Yes No N/A **Code Section Analysis** 06-05-13(1) There shall be no duplication of street names by sound or spelling within Canyon County including within the incorporated areas. \boxtimes "Dusty Rose Lane" is not duplicated by sound or spelling within Canyon County Staff Analysis including within the incorporated areas. Differentiation of street names shall not be by the addition of a street 06-05-13(2) designation such as road, street, avenue, lane, etc. A. No street designations shall be used other than the one that is \times approved by the County. Staff Analysis "Dusty Rose" is not duplicated by sound or spelling regardless of the street designation. Where the proposed street is on the alignment and continuation of the existing 06-05-13(3) street, or where the street is on the same alignment but not linked to an existing street, the name of the existing street shall be applied; provided, there are not natural barriers such as lake, river, interstate, highway, etc., in which case the name may be changed. This standard shall apply to public and private roads. A proposed street or private road shall be considered in general alignment with an existing street or private road, if the centerline of the proposed street or private road is no farther than one hundred feet (100') from \boxtimes centerline of an existing street or private road. B. Where a proposed street or private road connects or aligns with two (2) differently named streets, the director shall decide the name to be used, giving consideration to the length, road classifications, and number of residents affected. C. A proposed street or private road which aligns with an existing street or private road should carry the correct street designation even though the existing street designation may be incorrect. Staff Analysis The proposed street is not on the alignment of an existing street.

New road name was established a Shows on Page 7 of

Case #: AD2024-0096 - White

		06-05-13(4)	If a street makes a very obvious change in direction, a new street name may be
	X		assigned.
		06-05-13(5)	Both portions of an "L" shaped street shall carry the same name if either log is
			one numbered feet (100) or less in length; all others shall carry two (2) names
			Not applicable; the street is not "L" shaped.
		06-05-13(6)	A cul-de-sac that has an overall length of more than one hundred feet (100') (as
			ineasured from the centerline of the principal street to the point of radius) shall
	15-71		darry a new name, and must be named in accordance with the provisions boroin
			A. A cui-de-sac that has an overall length of one hundred feet (100') or loss
			shall carry the same name and the same designation as the street from which it
		Ct. CC A . I .	energes.
-	-		
		06-05-13(7)	Street names for a proposed subdivision shall be shown on the preliminary plat
İ			and approved prior to the filing of the final plat in accordance with the
			provisions of this article and:
	×		A. No plats shall be approved until all provisions of this article have been
			complied with; B. Applicants shall erect street name signs at their august their sums and their sums are their sums and their sums are the sum are the sums are the sum are the sums are the sum are the sums are the sums are the sum
			The state of the street figure signs at their own expense in
		Staff Analysis	accordance with the county standards.
1	-		
		00-03-13(8)	All new road/street designations shall adhere to the following:
			A. Avenue: A north-south street generally running in a straight line.
-			B. Boulevard: A major roadway that may meander or run in any direction. The use of these terms must be approved by the director.
			C. Circle or loop: Short streets which return to themselves or begin and end
			in the same street,
			D. Court: An east-west cul-de-sac.
			E. Lane: A private road.
			F. Place: A north-south cul-de-sac.
			G. Drive: A street generally meandering in an east-west direction.
			H. Road: A designated street which extends through urban and rural areas.
			I. Street: May run generally in an east-west direction.
			J. Way: A street generally meandering in a north-south direction.
			The proposed street is a private road, and therefore has the "Lane" designation
_		06-05-13(9)	No streets and/or private roads should begin with the prefix north, south, east
			or west and shall not be used as a differentiation between new street names
			"Dusty Rose Lane" does not begin with the prefix north, south, east or west
		06-05-13(10)	In determining street names along Base Line Road: When a north-south
			running street exists along Base Line Road, that portion of roadway south of
	X		Base Line Road shall carry the suffix "South" after its proper designation when
			there is a continuation of that roadway north of Base Line Road. This may
		Staff Analysis	include renaming existing roadways that do not meet this standard.
			Not applicable; the proposed street is not along Base Line Road.
			Changing an existing street or private road name requires a public hearing by
_			the board and an affirmative action by the board before any name change shall
			take effect. All property owners having frontage on the affected street or
			Staff Analysis 06-05-13(5) Staff Analysis 06-05-13(6) Staff Analysis 06-05-13(7) Staff Analysis 06-05-13(8) Staff Analysis 06-05-13(9) Staff Analysis 06-05-13(10) Staff Analysis 06-05-13(10) Staff Analysis 06-05-13(11) S

				private road shall be notified by mail of the public hearing at least thirty (30) days before the hearing.
	_		Staff Analysis	The easement was not named prior to this case.
		×	06-05-13(12)	Where there is an existing unnamed street providing access to more than two (2) permanent residences and it is determined by the director that such creates erroneous, ambiguous and/or confusing circumstances or when additional residences are added to such a street the director may assign a new road name and addresses. This provision shall apply to public and private roadways
			Staff Analysis	A building permit for a third residence on the road was applied for and therefore the private road name is being required for appropriate addressing of the new residence (BP2025-0169).
X			06-05-13(13)	Words that are difficult to spell or pronounce are generally prohibited. The director may reject a street name if the street name is found to be vulgar, rude or offensive. A street name shall not contain punctuation. If the parties who have the legal right to utilize the road cannot agree on a name, development services department will take suggestions from all parties and make the final decision and approval. (Ord. 11-008, 5-23-2011; amd. Ord. 21-019, 8-3-2021)
			Staff Analysis	"Dusty Rose Lane" is found to be not difficult to spell or pronounce and not vulgar, rude, or offensive. It does not contain punctuation. The property owner obtained signatures of the property owners using the road which were provided on the application.

Table 4. Easement Reduction

С	ompli	ant		reduced by the Director if the reduction demonstrates all of the following: County Ordinance and Staff Review
Yes	No	N/A	Code Section	Analysis
			07-10-03(1)D1	Will the proposed reduction provide adequate access;
			Staff Analysis	The letter of intent does not include any evidence to support a finding on this requirement. Given the layout of the parcels and surrounding parcels, it seems unlikely that they would be developed to the extent that a 28-foot easement would not be able to provide adequate access.
			07-10-03(1)D2	Do physical characteristics of the site require a width reduction; and
	×		Staff Analysis	The letter of intent does not include any evidence to support a finding on this requirement. Staff was unable to find physical characteristics of the site which would require a width reduction.
			07-10-03(1)D3	Would approval of the request cause injury, damage, or a safety hazard?
			Staff Analysis	The letter of intent does not include any evidence to support a finding on this requirement. Wilder Fire District did not submit a comment. It does not appear that approval of the request would case injury, damage, or a safety hazard.

DECISION:

The application for the described administrative land division of nonviable parcels, private road, and easement width reduction in accordance with CCZO §07-18-09, 06-05-13, and 07-10-03 is **DENIED**. Pursuant to CCZO §07-18-09(8), any affected person who is aggrieved by the decision may file a written notice of appeal in accordance with CCZO §07-05-07 subject to application submittal requirements and fee.

Dan Lister, Planni	Supervisor Date
State of Idaho) County of Canyon County)	SS
public, personally appeared	in the year of 2025, before me Pamela Dilbeck, a notary Lister, personally known to me to be the person(s) whose strument, and acknowledged to me that he (she)(they) executed the same.
PAMELA DILBECK COMMISSION #20224944 NOTARY PUBLIC STATE OF IDAHO	Notary: Samela Dilbeck My Commission Expires: 10/14/2028

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: 85679

Date:

6/23/2025

Date Created: 6/23/2025

Receipt Type: Normal Receipt

Status: Active

Customer's Name: Rosetta & Roger White

Comments: AD2024-0096-APL

Site Address: 0 FARGO RD, Wilder ID 83676 / Parcel Number: 37222011 0

CHARGES

Item Being Paid For: <u>Application Number: Amount Paid: Prevs Pymnts: Unpaid Amnt:</u> Planning - Appeal to the Board of AD2024-0096-APL \$750.00 \$0.00 \$0.00 **County Commissioners** Planning - Notification - Public Hearing AD2024-0096-APL \$350.00 \$0.00 \$0.00 Level Cases (1 Hearing)

> **Sub Total:** \$1,100.00 **Sales Tax:** \$0.00

Total Charges: \$1,100.00

PAYMENTS

Type of Payment: **Check/Ref Number:** Amount:

Check 450 \$1,100.00

> **Total Payments:** \$1,100.00

> > \$0.00

ADJUSTMENTS

Receipt Balance:

Issued By: pdilbeck