

Valley County Planning and Zoning Commission

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Ken Roberts, Chairman
Carrie Potter, Vice-Chair

Brad Mabe, Commissioner
Ben Oyarzo, Commissioner
Heidi Schneider, Commissioner

MINUTES

Valley County Planning and Zoning Commission

July 9, 2026

Valley County Court House - Cascade, Idaho

PUBLIC HEARING - 4:00 p.m.

A. OPEN: Meeting called to order at 4:00 p.m. by Vice Chairman Potter. A quorum exists.

PZ Director – Cynda Herrick:	Present
PZ Commissioner – Brad Mabe	Present via Teams
PZ Commissioner – Ben Oyarzo:	Present
PZ Commissioner – Carrie Potter:	Present
PZ Commissioner – Ken Roberts:	Arrived at 4:06 p.m.
PZ Commissioner – Heidi Schneider:	Present
PZ Planner II – Lori Hunter:	Present

B. MINUTES: Commissioner Schneider moved to approve the minutes of June 11, 2026, and June 25, 2026. Commissioner Mabe seconded the motion. Motion passed unanimously.

C. OLD BUSINESS:

1. CUP 22-37 Tamarack Falls Estates No. 1 – Final Plat: Hess Properties LLC is requesting final plat approval. The commission will review the final plat to determine conformance with the preliminary plat, approved densities, and conditional use permit. Original approval was for 124 residential lots and 5 landscape lots on 115 acres. This plat includes 38 residential lots and 4 common lots on 43 acres. The lots would be accessed from private roads Tamarack Falls Road and Norwood Road, both public roads. The site is in the NE ¼ Section 20, T.16N, R.3E, Boise Meridian, Valley County, Idaho. Not a public hearing. Action Item.

Vice Chairman Potter introduced the item and asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff report.

Chairman Roberts arrived and joined the Commission.

Roadway right-of-way will need to be deeded, not just dedicated. Financial guarantees will likely be reduced from what was included in the applicant's submitted and listed in staff report.

Staff and the applicant's representatives are working on development agreement; this will be finalized prior to signing final plat by Board of County Commissioners. Questions in staff report will be finalized prior to taking the plat to the Board. The pedestrian easement from Phase 1 through the southern portion of the property was discussed.

Commissioner Potter moved to approve the final plat of CUP 22-37 Tamarack Falls Estates No. 1 and authorize the Chairman to sign. Commissioner Mabe seconded. Motion carried unanimously.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley County Code 9-5H-12.

4:10 p.m.

2. VAR 26-001 Walcom Setback Variance was tabled to July 9, 2026, at 6:00 p.m. Thus, this item will be taken up later this evening no sooner than 6:00 p.m.

4:11 p.m.

D. NEW BUSINESS:

- 1. SUB 26-006 Bears Den 2 Subdivision – Preliminary Plat:** Kenneth Purdom is requesting a conditional use permit for a five-lot single-family residential subdivision. Lots are approximately 10 acres in size. Individual septic and wells are proposed. The lots would be accessed off Nisula Road, a public road. The site is 52.5 acres of 236.35-acre parcel RP16N03E050605, addressed at 13261 Nisula Rd, in the NW ¼ Section 5, T.16N, R.3E, Boise Meridian, Valley County Idaho. Action Item.

Chairman Roberts introduced the item and asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff report

Staff and Commissioners briefly discussed water rights and irrigation, shared driveways, surrounding ownership, wetland delineation, and existing lateral ditches. If the property owner is not going to continue to provide water rights to each lot, a transfer of water rights to the remainder parcel through Idaho Department of Water Resources must occur. Ten acres parcels could still qualify for agricultural exemption for property taxes. This fact is not accounted for in Staff's compatibility rating.

Chairman Roberts asked for the applicant's presentation.

John Russell, McCall, represented the applicant. The site is primarily irrigated pasture. The applicant and property owner has subdivided four 20-acre parcels near this proposed subdivision with five 10-acre lots. The site is very flat with approximately 1% grade from Nisula Road to south of the proposed lots. There is a larger ditch outside of the proposed subdivision that conveys water through proposed Lot 5 to Melissa Sharp's adjacent property. The laterals crossing the proposed property do not appear have conveyed water in a long time. The water rights are from Mud Creek. This proposal will not curtail the water rights of the property owner nor downstream users. The preference is to keep the water rights on the large remnant parcel. The site is currently flood irrigated which holds the ground water table higher than if the irrigation was stopped. The wetland delineation study is ongoing. The wetland map on the Valley County GIS shows areas that are not jurisdictional wetlands but are likely due to flood irrigation.

The final plat will show a total of three shared driveway easements.

Septic testing information has not yet been submitted to Central District Health. Monitoring began in February 2026.

There was additional discussion on the water rights that have been in effect for many years,

probably since 1926. The applicant would prefer to transfer the water right to the larger remainder parcel. This would need to be approved by the Idaho Department of Water Resources. Plat Notes regarding irrigation water will be added.

The North Lake Recreational Sewer and Water District's master plan includes this area. The applicant is agreeable to a condition stating if a central water or sewer line is available in the area in the future, than the lot owners shall be required to hook up to central sewer.

Chairman Roberts opened the public hearing and asked for proponents.

Donn Reiswig, 13333 Nisula Road, owns the property immediately to the west. He believes property owners have the right to subdivide their property. He stated the septic monitoring did not produce normal readings this spring. The site received more rain and less snow than typical. This resulting in standing water in the lateral ditches and affected the ground water level readings. His property is at the same elevation as the proposed subdivision. He monitored his site for two years and had no water in the test holes. He believes that if the laterals are removed, there will not be any issues with the septic systems in this area.

Chairman Roberts asked for undecided. There were none.

Chairman Roberts asked for opponents. There were none.

The applicant chose not to rebut the comments.

Chairman Roberts closed the public hearing. The Commission deliberated. Commissioners concurred that work will be needed prior to final plat submittal. The lots may need to be modified due to septic and wetland results. Shared driveways are preferred over multiple accesses onto Nisula Road. Wetlands and water delivery to downstream users must be protected.

Commissioner Schneider moved to approve the conditional use permit and preliminary plat for SUB 26-006 Bears Den 2 Subdivision with the stated conditions.

- COA:** Shall either transfer water rights to remainder parcel or provide irrigation to each lot.
- COA:** Shall require connection to sewer line if ever brought to this site. This shall be stated within the Declaration of Utilities.
- COA:** Shall optimize shared driveways on the plat, not to exceed three (3) total driveways.
- COA:** Shall maintain water delivery to downstream users with easement.
- COA:** Shall do a wetland delineation to identify building sites.

Commissioner Potter seconded the motion. Motion carried unanimously.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley County Code 9-5H-12.

4:50 p.m.

- 2. SUB 26-010 Starview Estates Subdivision – Preliminary Plat:** Sound Holdings LLC is requesting a conditional use permit for a two-lot single-family residential subdivision. Proposed lots are 9.10 and 10.23 acres in size. Individual wells and septic are proposed. Lots would be accessed by an extension of Johnson Lane. The 20.46-acre parcel RP18N03E298375, addressed at 102 Johnson LN, is in the W ½ SE Section 29, T.18N, R.3E, Boise Meridian, Valley County Idaho. Action Item.

Chairman Roberts introduced the item and asked if there was any exparte contact or conflict of interest. Commissioner Potter recused herself and left the meeting room.

Director Herrick presented the staff report, displayed the GIS map on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Lake Irrigation District stated the parcel has a delivery ditch running through the property that delivers District water to said property and other parcels as well as the main delivery canal on the northern border. The District is not in favor of relocating the current lateral ditch. The developer is invited to attend a meeting to discuss workable options. (July 7, 2026)

Shared driveway will need approval from McCall Fire Department.

Staff and Commissioners discussed the original proposal of extending Johnson Lane and the change to an easement. The dedicated roadway will have to extend far enough to obtain the required 30-ft of frontage. Lots will need to be reconfigured. If the application is approved, Staff would want a corrected drawing showing 30-ft frontage for each lot. There is an existing 50-ft easement. The applicant would need to deed 35-ft from the center of the road or provide a 35-ft easement. Lots require 30-ft of frontage on a road, not just an easement, per Valley County Code 9-5C-2. Part of the road must be platted and a flag lot created. The shared driveway will need approval from McCall Fire Department.

Chairman Roberts asked for the applicant's presentation.

Mathew Falvey, 781 Stockton Drive, stated this is a 20-acre parcel that they wish to split into two lots. The previous owners attempted to create a pond. This depression will be filled as there are no water rights available for a pond. The proposed irrigation changes would improve water flow. He will communicate with Lake Irrigation District. Transitioning from the existing Johnson Lane is tricky. He wishes to have an easement for these properties and the property to the west. A 12-ft wide, paved driveway exists along the shared driveway. This property was previously owned by the people who own the adjacent property to the west.

The utility easement referred to in the neighbor's comments is in the northeast corner and was for an irrigation pump that is no longer in use. However, Mr. Butts wants to keep the easement; therefore, the proposal to vacate this would be removed from plat.

There was discussion between the applicant, Commissioners, and Staff regarding the access, easements, and Johnson Lane. Commissioners preferred a 35-ft deed to Valley County for future roadway to provide adequate frontage for each lot. Commissioners also preferred to leave the existing paved driveway, shared by three building sites, for now. If the property to the south is developed, someone would then deed another 35-ft for road right-of-way. The shared driveway must still be approved by the fire department. The applicant stated he did not want further lots splits to be allowed.

An avigation easement was discussed. Commissioner Mabe prefers that one be required as the site is within the horizontal surface and an agreement would reduce future issues with the

McCall Airport. The applicant stated he is not familiar with avigation easements and that there are existing high power transmission lines on this property. Staff stated the Federal Aviation Administration Form 7460-1 would cover the height of all new structures on the property. Commissioner Mabe stated an avigation easement would cover the overflight and noise in the flight path as the site is at the end of the runway inside the horizontal surface. It would put landowners on notice. The avigation easement required for 360° Ranch Subdivision was discussed. Would include CCRs that notice owners about soundproofing recommendations. Commission Schneider had concerns about requiring the applicant to negotiate with the Airport and not knowing results that would results. Mr. Falvey was willing to add information regarding the proximity of airport and resulting noise. Commission Mabe stated that property owners would be aware but dissatisfied. The avigation easement does not need to be onerous; thus, the easement should be modeled after the City of Boise's template. It is important to protect airspace and the usage of the airport. Director Herrick added that the Boise template is different from McCall's. Staff will provide the Commissioners with a copy of the City of Boise's template; a negotiation with the City of McCall would not be required. An avigation easement would provide notice on the face of plat; CCRs can be changed or ignored. Mr. Falvey stated he would prefer this not be required but language included in CCRS; he is a pilot and is familiar with local air traffic patterns. Commissioner Mabe stated he wants to protect the airport. Director Herrick added that although avigation easements are not specified in Valley County Code, it would be considered mitigation. The Commission approved similar conditions of approval for 360 Ranch and Serenity Fields Subdivisions.

Chairman Roberts opened the public hearing and asked for proponents. There were none.
Chairman Roberts asked for undecided. There were none.
Chairman Roberts asked for opponents. There were none.

Chairman Roberts closed the public hearing. The Commission deliberated. Chairman Roberts is concerned about the road versus easement issue and the lack of a corrected preliminary plat drawing. He is not opposed to requiring an avigation easement as long as the wording is similar to nearby subdivisions and not oppressive to property owners. These matters and utility easements were discussed further. Notice should be given to property owners in CCRs as well as referencing a recorded avigation easement on the plat. A turnaround on the plat would be required by the McCall Fire Department. The main powerline to Moon View Subdivision already exists and is shown on the preliminary plat.

The Commissioners would like to review the avigation easement at same time the facts and conclusions are reviewed during the Commission meeting on August 13, 2026. Therefore, approval of the conditional use permit would not be finalized until after approval by the PZ Commission at that time.

Commissioner Schneider moved to approve the conditional use permit and preliminary plat for SUB 26-010 Starview Estates Subdivision with the stated conditions.

COA: Shall comply with Lake Irrigation District's requirements.

COA: Shall fill the pond with soil and or rocks.

COA: An avigation easement will be written up and approved by the PZ Commission at time of approval of Facts and Conclusions.

COA: No further lot splits.

COA: Shall maintain water rights on property.

COA: Shall deed 35-ft of road right-of-way to Valley County along the south section line that will also be used for the shared driveway for Lots 1 and 2 and the property to the west.

COA: Shall specify access easement for property to the west.

COA: Utility easement shall not be vacated.

Revised COA # 8: A letter of approval is required from McCall Fire District for the final plat, shared driveway, and roadway.

Commissioner Mabe seconded the motion. Motion carried unanimously.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley County Code 9-5H-12.

5:37 p.m. Commissioner Potter returned to the Commission.

3. SUB 26-011 North Fork Landing – Preliminary Plat: Jon Vanderhoef is requesting a conditional use permit for a 27-lot flex-use development that will provide residential living, small business activity, and functional shop spaces on 46.9 acres. Lot sizes range from 1.01 acres to 2.3 acres. An open space lot and two ponds are proposed. Individual septic and wells are proposed. The lots would be accessed by new private paved roads with one access from Loomis Lane and a emergency access to Highway 55. The site includes parcels RP16N03E238450, RP16N03E238421, and RP16N03E237985, addressed at 16 and 18 Loomis LN, is in the SE ¼ Section 23, T.16N, R.3E, Boise Meridian, Valley County Idaho. Action Item.

Chairman Roberts introduced the item and asked if there was any exparte contact or conflict of interest; there was none. Chairman Roberts stated his daughter and son-in-law live across the road from the site. However, they have no financial interest; nor has Chairman Roberts.

Director Herrick presented the staff report, displayed the GIS map on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Paul Ashton, Parametrix and Valley County Engineer, stated upon further review, a Traffic Impact Study (TIS) will not be required. (July 6, 2026)
- **Exhibit 2** – Kerstin Dettrich, Valley County Road & Bridge Director, listed requirements. A cluster mailbox / school bus stop location is requested. Further coordination with Idaho Transportation Department and Valley County Road and Bridge is required regarding ongoing turn lane warrant analysis as well as identified improvements to the west.
- **Exhibit 3** – Richard Klient of Roseberry Irrigation District stated two parcels do not have Roseberry Irrigation District water rights. To fill ponds, an application must be filed with Idaho Department of Water Resources. Parcel RP16N03E237985 does have Roseberry Irrigation District water rights for general irrigation and livestock use only; filling or maintaining a pond is not permitted. (July 8, 2026)
- **Exhibit 4** – Kendra Conder, Idaho Transportation Department, updated prior comments. The development agreement should include potential for additional traffic analyses and collecting proportionate share if deemed necessary by ITD or Valley County Road and Bridge. (July 9, 2026)

COA # 17 was discussed. This list would be distributed to property owners, similar to Swain's Lake Fork Business Park. If listed, it would be a preapproved use. If not listed, the use would require a conditional use permit.

Director Herrick and Commissioners discussed the compatibility rating, specifically questions 1 and 2, and the decision that a traffic impact study is not needed. If the preliminary plat is approved, there will be further discussion between the applicant, ITD, and Valley County Road and Bridge Department. The proposed pond in Phase 2 would be removed due to lack of water rights. The emergency exit onto Highway 55 currently exists; ITD would have to permit the access for this use. ITD did not comment on the sight restriction at the northwest corner of the Highway 55 and Loomis Lane intersection. A previous subdivision was approved for the site but expired. The site was annexed into North Lake Recreational Sewer and Water District boundary; however, the connection was not constructed as it was deemed cost prohibitive.

Chairman Roberts asked for the applicant's presentation.

Jon Vanderhoef, McCall, a partner in project, stated the site has sat vacant. The proposed use would revitalize the site and address a need in Valley County.

Rob Pair, Crestline Engineers, McCall, represented the applicant. The presentation included in the staff report was shown on the projector screen and referenced by Mr. Pair. The mixed-use project is promoted as flexible in use but tight on standards. The proposal is not a conventional subdivision and not a business park. Average lot size is 1.4 acres and there are more than 3 acres of open space. The proposal is less dense than the development previously approved for the site. The site is relatively flat but higher than the highway. There would be 6-ft high side and rear fencing, chain link slatted with neutral tones or a vertical cedar style; the front yard could be three-rail fencing. Setbacks would adhere to Valley County commercial setbacks which are more restrictive than standard single-family residential setbacks. Extensive CCRs and design requirements are proposed. Campers/RVs would not be used as primary residences. If only a shop is constructed without a residence on a lot, a bathroom would be required to be added to the shop building. The proposal would be a visual improvement compared to the current conditions. There would not be fencing immediately adjacent to Loomis Lane.

The proposal is for local service providers; no destination businesses would be allowed. Quick examples include electricians, plumbers, excavators, landscapers, surveyors, builders, property maintenance companies, snow removal contractors, technology professionals, engineers, and small service businesses.

The original proposed phasing plan will need to be modified due to Central District Health (CDH) requirements. Of the 17 locations monitored during Spring 2026, four sites had minimal water. Therefore, Phase 1 would be platted in subphases, resulting in a lengthened timeline.

A development agreement makes sense for the proposal with off-site improvements. They met with ITD and Valley County Road and Bridge during Spring 2026. There are other projects in the works for the area; the applicant expects to participate in the proportional share of off-site improvements. The existing agricultural entrance for Phase 2 parcel would be gated for emergency access only. It would need to be permitted by ITD. However, the second access is not required for the number of lots.

Septic systems, sewer connection, and water rights were discussed. Mr. Pair was under impression that the applicant had met with Roseberry Irrigation District. The intent is to make sure appropriate water rights are in place for the ponds. They will continue working with the Irrigation District. The Roseberry Irrigation District does not allow district water for pond use; therefore, a well would be permitted through Idaho Department of Water Resources to supplement the ponds. There is a private irrigation line on the border of the parcels.

The draft CCRs stated that no short-term rentals nor campgrounds are allowed. There was

discussion on if portions of the lots could these be subleased. Mr. Vanderhoef stated the CCRS have built in safeguards and prohibit subleasing to someone else. There shall be a single use on each parcel, not multiple businesses on same lot. A property owner association would enforce CCRs. Allowed uses and prohibited uses would be included in development agreement which can be enforced by Valley County.

Chairman Roberts opened the public hearing and asked for proponents.

Mike Robinett, 1002 Violet Way, McCall, is builder. Sites are needed in Valley County for employee housing, contractor housing, shops, and parking of trailers and equipment. This would be a unique development. Although some issues need to be resolved, it is needed. It would allow a business to have a small house and large shop for business or recreational equipment; not all subdivisions can do that.

Tad Elison, owner of adjacent property, supports the project. A place to park equipment and trailers is needed.

Gretel Kleint, 13010 Highway 55, stated the second phase portion was originally part of her ranch and was sold to the previous developer. She is in favor of the proposal as their private property right. That portion is within the Roseberry Irrigation District. The District's water cannot be taken off the land. This particular parcel is at very end of the irrigation district. Taxes still have to be paid; and pipes to each user occurred at other locations. The property owner(s) must cooperate with upstream users. The existing access along Highway 55 is ranch access which she maintains; there is no use of that access by the subject property. The emergency access may need to be located further south.

Patrick Fox, 7 Laguna Place, is a small business contractor who currently rents in an industrial area. This proposal would be a great deal for small business owners.

Chairman Roberts asked for undecided. There were none.
Chairman Roberts asked for opponents. There were none.
Chairman Roberts asked for rebuttal from the applicant.

Mr. Pair stated they will work with the Roseberry Irrigation District and clarify any misinformation. He will also research the emergency access option further.

Chairman Roberts closed the public hearing. The Commission deliberated. The change in the proposed timeline for recording the plats is based on the release of sanitary restrictions. Lots should connect to sewer when available.

Commissioner Mabe believes it is an interesting concept and that the applicant has done a nice job with the architectural portion of putting together commercial and residential uses along Highway 55. The uses are well documented in the CCRs. However, he would like stronger descriptions of the building standards and design in the CCRs and or development agreement.

Chairman Roberts stated that it was a nice presentation. However, he is concerned with water quality and the addition of more septic tanks and drainfields in close proximity to Cascade Reservoir and Gold Fork River. One of the reasons those test wells were dry is because the soil percolates very well at this site. It hits a clay layer, and it goes directly out to the cut bank or to the south goes directly toward the Gold Fork River. That is why the previous subdivision application on this property had a central sewer system on it. Infrastructure must be considered. If these lots were hooked up to central sewer, it would be a great project. The proposed use is much needed. The approved MacGregor Townsite, located half a mile from

this site, will use central sewer and water. The previous developer installed pipes and manholes; however, they may not match the proposed road design.

Commissioner Potter stated the permitted uses are overly broad, specifically as it relates to the resulting traffic on Highway 55. The number of daily trips is dependent on the type of use of each lot and is currently unknown. The type of use would affect the number of employee vehicles, delivery vehicles, residential vehicles, etc.

Commissioner Schneider stated although she would prefer central sewer over septic systems, the Commission relies on the expertise of CDH and Idaho Department of Environmental Quality. She agreed that the permitted uses are overly broad but also thinks the concept is much needed. A concern would be the number of employees per lot and use of campers for temporary residences. It would be quite the task to regulate the uses. The single-use limitation in addition to single-family residential could be on the face of the plat. She questioned how ITD looks at the proposed use to determine traffic numbers.

There was additional discussion on proposed uses and determination of traffic numbers. ITD is waiting to see the results of turn lane warrants for MacGregor Townsite and Brown Commercial Lease Site. The applicant is willing to participate in a proportionate share of improvement costs.

Chairman Roberts likes concept of this business hub; however, adding in single-family use gets problematic. Commissioner Mabe stated this is almost the reverse of the typical application for commercial use in a single-family residential area. Commissioner Schneider stated small business owners would be willing to have their residence in this area. Director Herrick stated single-family homes are likely to be used for employee housing. Commissioner Mabe added small businesses like plumbers might also want to have their business at home instead of a different location. Although the Commission does not want to handcuff potential property owners, the applicant could narrow the list further. There was discussion on delivery trucks and warehouse use. Commissioner Roberts stated that a residential home should be tied to the business use on a lot.

Possible additional Conditions of Approval discussed by the Commissioners and Staff were:

- Shall transfer water rights for a pond with Idaho Department of Water Resources.
- Can record phases of plat as sanitary restrictions are released.
- Must connect to sewer when available.
- Shall be limited to a single-family residence plus one single commercial use per lot.
- Shall use all water rights on site in coordination with Roseberry Irrigation District.
- Shall include a clustered mailbox and school bus stop.
- **Revised COA #5:** The final plat for Phase 1 shall be recorded within three years, or this permit will be null and void. The final phase shall be recorded by December 31, 2031.

Commissioner Mabe moved to table SUB 26-011 North Fork Landing to September 3, 2026, after 4:00 p.m. for additional information. Chairman Potter seconded the motion.

Commissioner Mabe stated he would like more detailed information on type of businesses allowed and how to limit the of daily trips. Usage dictates trip numbers. He is not sure what do about the septic system versus central sewer discussion. Chairman Roberts thinks a traffic study would be nice; however, it is premature when the future uses are unknown.

Motion to table to September 3, 2026, after 4:00 p.m., passed unanimously.

7:08 p.m. – short recess

OLD BUSINESS # 2: VAR 26-001 Walcom Setback Variance: Michael & Dena Walcom are requesting a variance to relax the rear yard setback 15 feet, from the required 20 feet to 5 feet to build an addition to the home. The site is Crown Point Subdivision #2 Lot 15 addressed at 31 Robbins Drive. The 0.66-acre lot is located in Section 23, T.14N, R.3E, Boise Meridian, Valley County, Idaho. **Tabled from May 14, 2026.** Action Item.

Commissioner Potter moved to move VAR 26-001 Walcom Setback Variance from the table. Commissioner Oyarzo seconded. Motion passed unanimously.

Chairman Roberts introduced the item and asked if there was any exparte contact or conflict of interest; there was none. Chairman Roberts stated he has no monetary interest in this variance request.

Director Herrick presented the staff report, displayed the site and GIS map on the projector screen, and summarized the following exhibit:

- **Exhibit 1** – Pictures from Applicant (July 9, 2026)

Page 2 was missing from the staff report provided to the Commissioners. It was reviewed by Staff and all Commissioners on the projector screen.

Chairman Roberts asked for the applicant's presentation.

Michael Walcom, 31 Robbins Drive, submitted a site plan drawn to scale (**Exhibit 2**) that was reviewed on the projector screen. Mr. Walcom and Commissioners discussed the site plan and pictures. The site, location of the existing and proposed structures, existing and proposed setbacks were reviewed. The deck would be removed, and an addition would be added to the home. The distance would be approximately five to six feet to the property line and five to seven feet from the septic tank. If the addition was turned, it would infringe upon the required setback from the septic system. The applicant did not wish to modify the proposed design. It is expensive to redesign or have new renderings made. The building site is limited due to topography, septic location, and waterline easement location.

Chairman Roberts opened the public hearing and asked for proponents. There were none. Chairman Roberts asked for undecided. There were none. Chairman Roberts asked for opponents. There were none.

Chairman Roberts closed the public hearing. The Commission deliberated. Commissioners discussed if the requests meets the requirements of Valley County Code 9-5H-10. This section of Code was discussed further. The Code specifies that variances are approved for hardship due to topographical reasons that are beyond the uh applicant's control. The variance may be granted to an applicant only upon showing of undue hardship as a result of characteristics of the site. Placement of the existing building is an action of the applicant. The building was originally permitted as a shed. It was converted with an approved building permit into residential. There is an existing approved variance for the deck area. This part would be removed. The applicant wants to extend the building to the south. The applicant originally thought the adjacent land to the east was State of Idaho land and there was an assumption only a 7.5-ft setback was required. However, those were both incorrect. There is approximately 18-ft between the Walcom property and the State of Idaho land that is owned by someone else. The applicant is now attempting to fix things with this variance request and remove the portion previously approved for a variance. Chairman Roberts stated he could build with the same square footage. The applicant submitted pictures to show that others in the neighborhood are also not

in compliance with setbacks and that this request is in character with the neighborhood. Commissioner Schneider stated the applicant wishes to remove the building that has no setback and add a building that has a little bit of setback. The construction was wrong from the beginning and cannot be completely solved without removal of all the buildings. Commissioner Oyarzo stated that the lot geometry and restrictions mean that the addition won't fit without making it smaller. Director referred to a picture from previous meeting labeled "View from the South Side" and shows the rear property line; the picture was viewed by the Commissioners. Chairman Roberts stated there might be other options; the topography is not unusual for this area. Excavation and/or fill may be necessary for building in this area.

Commissioners concurred that the request does not meet the hardship requirement of Valley County Code.

Commissioner Potter moved to recommend denial of VAR 26-001 Walcom Setback Variance to the Board of County Commissioners. Commissioner Oyarzo seconded the motion.

Commissioner Potter stated there is no undue hardship. The existing difficulty has been caused by the applicant. Chairman Roberts stated there are other options available including a change in square footage or orientation or altering the terrain. Commissioner Mabe added that he did review **Exhibit 2** and understands the previous discussion.

Motion to recommend denial of VAR 26-001 Walcom Setback Variance passed unanimously.

The matter will be a public hearing with the Board of County Commissioners for their decision.

8:03 p.m.

4. VAR 26-005 Poulsen Setback Variance: Marsha Poulsen is requesting a variance to relax the front yard setback from 30 feet as described on the Pelican Heights Subdivision plat to 10 feet due to the slope of the property. The 2-acres site is Pelican Heights Subdivision Lot 5, addressed at 1497 Pine Ridge Drive, in the NESW Section 11, T.14N, R.3E, Boise Meridian, Valley County, Idaho. Action Item.

Chairman Roberts introduced the item and asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff report and displayed the site.

Staff and Commissioners reviewed the pictures included within the staff report; these were taken from the roadway looking toward the building site. The topography of the area was discussed.

Chairman Roberts asked for the applicant's presentation.

Marsha Poulsen, Boise, requested a 10-ft setback from the road due to topography. She previously obtained a building permit and the bids for the support structure doubled the price of the house. Therefore, she changed the building plans and proposed building location but requires a variance. The site has septic, well, and power but no construction has occurred. The Applicant stated there are five existing buildings with less than required front setback within a mile of the site. Her property starts 20 feet from the traveled way. The home would be constructed 30 feet from traveled way. There is no homeowner association for this property. The variance is requested due to the topography; the property drops into a draw.

In response to comments regarding the culvert and drainage, the Valley County Road Department determined a culvert was not needed for the driveway approach permit. The culvert was removed when driveway was constructed.

Ms. Poulsen stated she hired a survey to complete a topographic map; however, she has not yet received the results. Chairman Roberts and Commissioner Mabe would like to view this map prior to making a recommendation.

Commissioner Mabe moved to table VAR 26-005 Poulsen Setback Variance to August 13, 2026, after 4:00 p.m. Commissioner Schneider seconded the motion.

Chairman Roberts asked if there was anyone who wished to testify on this matter. There was no one in the audience who replied.

The motion to table VAR 26-005 passed unanimously.

The applicant also stated that earlier today she received an email stating that she owed additional money. She did contact PZ Staff and was informed that this was a spam email.

8:23 p.m.

5. CUP 26-013 Brown RV Camp: Ben Brown is requesting a conditional use permit to have four or five RVs on his property. The RVs sties will be temporary, used by friends and family, and not rented. One RV uses a septic system hookup; the rest would be self-contained. The 0.69-acre site is Fox Subdivision Lot 2, addressed at 1201 Mount Vista Drive in the SWSE Section 23, T.14N, R.3E, Boise Meridian, Valley County, Idaho. Action Item.

Chairman Roberts introduced the item and asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff report and displayed the site on the GIS map on the projector screen.

These RVs and the use have been present for some time, predating this owner. The adjacent use is single-family residential and U.S. Bureau of Reclamation managed lands. The excavation on the site was not permitted. There is no site grading or stormwater management plan. The approved Recreational Vehicle Camp (RVC) permit limited the use to three RVs; other existing pads were being used by boats, etc., and occasional RV use.

The shared septic system and bathhouse was discussed. Staff did not know how Central District Health determines usage for a single facility serving a group or gathering.

Chairman Roberts asked for the applicant's presentation.

Ben Brown, Eagle, Idaho, applied for the conditional use permit. They currently have an RVC permit for three RVs and occasionally additional use as long as the additional RV(s) do not stay unattended. He has a large family with lots of grandchildren and has been coming to Cascade since he was a young child. This is a recreational area. He wants his family to enjoy the area. They are not trashy people and respect the land. His son has a disability that makes pulling an RV on Highway 55 difficult. The highway has become dangerous and the family wants the ability to leave additional RVs on the site. He was surprised by the comments received and misinformation given. He does not rent the site to others. Most neighbors are seasonal use only and many short-term rent their homes. This is request is not for a commercial rental; he has a large family who like to recreate in the Cascade area.

Mr. Brown responded to questions from Commissioners. He did not excavate the sites. He has built a small retaining wall and has done some fill to level out the previously existing RV pad sites. In reference to pictures submitted by one of the neighbors, a gray water pipe was installed by the previous owner of the property. Mr. Brown extended the pipe. It is for snow

drainage in spring, not for gray water. He recently removed the pipe from the drainage ditch along Mount Vista Drive. Topography of the site, culverts, and road maintenance was discussed further. There are never more than 30 people at the site; typically 6-12 people with exceptions of certain holidays and annual "spring cleanup" by the family raking pine needles, etc. The RVs have portable tanks; one RV is hooked up to the septic system. Approximately 6-10 people use the bathhouse for the most part. There is a shared drainfield with the adjacent neighbor; he does not want to cause issues with drainfield. The bathhouse and septic system were in place when he bought the property five years ago. Director Herrick added that a permit was issued in 2018 to Ralph Patten for bathhouse. Existing exterior lighting was discussed; all light fixtures have been adjusted to face downward to be dark sky compliant.

Chairman Roberts opened the public hearing and asked for proponents. There were none.

Chairman Roberts asked for undecided.

Al Deguchi, 1209 Mount Vista, stated that people live at the adjacent Fox property full-time; other properties are used seasonally. Mr. Fox plows the road; after hard rains, silt runs into culverts. Valley County does not maintain these public roads. Mr. Brown shares the septic drainfield with the Mr. Deguchi's sister-in-law's property. That property is used seasonally. He has known the applicant for about five years. The property is kept clean. During larger events, it does get noisy; however, everyone is generally quiet by 10:00 p.m. He does not think the site is nosier than others in the neighborhood. The Crown Point Campground is just downhill from this site.

Staff used the GIS map to show Commissioners the campground location.

Chairman Roberts asked for opponents.

Patrick Fox, 7 Laguna Place, stated he has been certified as a licensed septic contractor by Idaho Department of Environmental Quality and has a permit from Valley County to maintain these roads. The one picture is of his house after a storm where he lost a number of trees on the property. Mr. Fox is not opposed to ordinary family use. But this would create a dense campground in a residential area. Submitted pictures in the staff report show the view from his window. Mr. Fox has been at this property since 1979. Additional concerns include kids on UTVs on the property and roadways.

Chairman Roberts asked for rebuttal from the applicant.

Mr. Brown responded to Mr. Fox's comments regarding kids doing laps on ATVs. He is aware that this happened once when he was not present but stated this activity would not happen again. Access to the property is primarily by Mount Vista Drive and Crown Point Parkway, not Laguna Place. Mr. Brown stated that there is room for vehicle parking on the property; typically there are multiple people per car.

Chairman Roberts closed the public hearing. The Commission deliberated. Commissioners concurred that family legacy and use are important. However, there were concerns regarding the density of the RVs on a small lot in a single-family subdivision. Certain activities can be detracting to health, welfare, and safety of adjacent landowners. There are visual concerns and adverse impacts to the neighborhood.

The standards of approval from Valley County Code and listed in the staff report were reviewed.

1. Will the application result in an increase in value of private property? VCC 9-5-2(B)(3). *No.*
2. Will the approval of the application result in an undue adverse impact on the environment? VCC 9-5-2(B)(3). *Yes, the large number of people and one shared septic drainfield in likely overloading the system.*
3. Will the approval of the application result in an undue adverse impact on adjoining properties? VCC 9-5-2(B)(3). *Yes.*
4. Will the approval of the application result in an undue adverse impact on governmental services? VCC 9-5-2(B)(3). *Not sure; disposal fee for solid waste is likely too low to be equitable.*
5. Is the application consistent with the Valley County Comprehensive Plan? VCC 9-5-2(B)(3). *No, Chapter 2 refers to property rights of neighbors.*
6. Conditional uses may be approved only after a CUP has been evaluated to determine that the impacts can be mitigated through conformance with conditions of approval. VCC 9-5-2(A). *Because this is such a small lot, it is not possible to mitigate impacts to surrounding property owners.*

Commissioner Mabe moved to deny CUP 26-013 Brown RV Camp. Commissioner Schneider seconded the motion. Motion carried unanimously.

There is a 10-day appeal period to the Board of County Commissioners in accordance with Valley County Code 9-5H-12.

9:10 p.m.

6. **VAR 26-006 Merrick Setback Variance:** Joseph Larrea is requesting a variance to relax both setbacks from the rear property line and the high-water line to 14.5 feet. The owners wish to replace the existing non-conforming deck. The 0.29-acre site, addressed at 2090 Payette Drive, is Tax #19 in Amended Payette Lake Cottage Sites Subdivision Lots 30 and 31 in Section 32, T.19N, R.3E, Boise Meridian, Valley County, Idaho. Action Item.

Chairman Roberts introduced the item and asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff report and displayed the site on the GIS map on the projector screen.

When a non-conforming use is demolished, the property owners must then comply with current setbacks. The County does allow remodeling and improving structural support but not systematic demolition. This application is for demolition of the porch and reconstruction in the existing footprint due to safety concerns of the existing structure. The Commission needs to determine if the future development of the neighborhood would be inhibited by the variance and identify the topographic reason for the variance. The Commission's decision would be a recommendation to the Board of County Commissioners. If this use is approved, a site grading storm water management plan would need to be approved by the Valley County Engineer. The proposed site plan, the existing structure, and setbacks from the high water line are shown in pictures submitted with the application. They want to replace the deck because they say it is unsafe. Significant engineering would be required to make sure that Best Management Practices (BMPs) are in place.

Chairman Roberts asked for the applicant's presentation.

Joseph Larrea, Boise and 2084 Payette Drive, is an architect for Babcock Design Group. The Merrick Family would like to rebuild the deck in the same footprint. The house, constructed in 1978, does not meet the current 50-ft setback from the high-water line of Payette Lake. There are doors on the top and lower level that access the current deck. The multi-story deck was constructed with the home and modified in 1995. It does not meet current building code and is unsafe. The family wants a new deck in the same location. If the deck was removed and not replaced there would only be one door to access the home. Removal of the deck would also result in a loss of property value. He submitted pictures of the existing deck and a rendering of the proposed deck (**Exhibit 1**). Chairman Roberts sent Commissioner Mabe a picture of the exhibit for his review. They will work with Idaho Department of Environmental Quality and submit a Stormwater Pollution Prevention Plan (SWPPP). Sam Merrick, property owner, was present and available for further questions.

The home is 28-ft from high-water mark; the existing deck is 10-ft. The new lower deck would be 12-ft and the new upper deck would 21-ft. The deck does need to be brought up to current building code. There are currently 24-inch guard rails. There would be circular pylons, 8-in x 8-in columns with fire treatment, and 42-in guard rails. The existing deck was built around a tree.

Chairman Roberts opened the public hearing and asked for proponents. There were none. Chairman Roberts asked for undecided. There were none. Chairman Roberts asked for opponents. There were none.

Chairman Roberts closed the public hearing. The Commission deliberated. Commissioners appreciated the submitted rendering. The existing footprint will be used. The design appears to be good. The home is not being replaced, just the deck. The Commission previously denied the systematic demolishing of another house along the lakeshore. Building safety is a concern at this site. The home does not meet setbacks. There must be ingress and egress to the home.

Commissioner Potter moved to recommend approval of VAR 26-006 Merrick Setback Variance to the Board of County Commissioners. Commissioner Schneider seconded the motion.

This was a unanimous decision; therefore, the Valley County Board of County Commissioners are not required to have a public hearing prior to making a decision.

9:23 p.m.

E. MCCALL AREA BUSINESS

1. **PUD-22-04, CUP-22-04, DR-25-14, and SR-25-05 STOR-IT McCall:** Hatch Design Architecture is requesting approval of the final development plan for expansion of the STOR-IT self-storage facility. The new building footprint would be 151,771-sqft. Total lot coverage would be 29%. Access would be from Elo Road, a public road. The site, addressed at 379 & TBD Elo RD, is parcels RP18N03E217354 and RP18N03E217205 in the SE ¼ of Section 21 T18N, R3E, Boise Meridian, Valley County, Idaho. Action Item. *Not a public hearing.*

Chairman Roberts introduced the item and asked if there was any exparte contact or conflict of interest; there was none. Director Herrick presented the staff report and, displayed the site, GIS map, and site plan on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Slide Presentation by Applicant

This project began under the jurisdiction of McCall PZ Commission and Valley County Board of County Commissioners. As of January 1, 2026, the jurisdiction changed to the Valley County PZ Commission and Board of County Commissioners. However, the applicable codes at the

time of the application apply. The applications were approved by the Board of County Commissioners. This is a final development plan for expansion of the STOR-IT self-storage facility. The Commission is tasked with ensuring that this plan complies with what was previously approved.

The applicant must follow the approved site plan, design, site grading and stormwater plans, and development agreement. There will be a building for use by the McCall Fire Department at a future date. There will be a northbound righthand turn lane added to Elo Road.

Commissioner Potter moved to recommend approval of the final development plan for PUD-22-04, CUP-22-04, DR-25-14, and SR-25-05 STOR-IT McCall in accordance with McCall City Code 3.10.09.G Commissioner Mabe seconded the motion. Motion carried unanimously.

This will be forwarded to the Board of County Commissioners for their decision.

9:35 p.m.

E. FACTS AND CONCLUSIONS - Action Items:

- CUP 26-008 Troutner Multiple Residences
- CUP 26-009 CM Backcountry Rentals Shop and Lodge Amendment of CUP 24-07
- CUP 26-010 Time Construction & Management
- CUP 26-011 Andersen Multiple Residence
- CUP 26-012 Schneider Propane Storage
- SUB 25-019 Rocky Mountain Storage
- SUB 26-005 Pine Creek Ranch South Subdivision
- SUB 26-007 Gestrin Grove Subdivision
- SUB 26-008 Serenity Fields Subdivision
- SUB 26-009 Paradise Cove II Subdivision
- VAC 26-001 Boyer Vacation of Utility Easement
- VAR 26-003 Rogers Cabin LLC Setback Variance
- VAR 26-004 Holden Setback Variance

Commissioner Mabe moved to approve the Facts and Conclusions as presented and authorize the chairman to sign. Commissioner Oyarzo seconded the motion. Motion carried on a 3 - 0 vote. Commissioner Potter and Commission Schneider recused themselves due to conflicts of interest with some of the listed applications.

Chairman Roberts adjourned the meeting at 9:38 p.m.