

Valley County Planning and Zoning

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STAFF REPORT:	VAR 26-001 Walcom Setback Variance
HEARING DATE:	August 24, 2026
TO:	Board of County Commissioners
STAFF:	Cynda Herrick, AICP, CFM Planning and Zoning Director
APPLICANT / PROPERTY OWNER:	Michael and Dena Walcom PO Box 985, Cascade, ID 83611
LOCATION:	31 Robbins Drive Crown Point Subdivision #2 Lot 15 in the East ½ Section 23, T.14N, R.3E, Boise Meridian, Valley County, Idaho
SIZE:	0.66-Acre Lot
REQUEST:	Rear Setback Variance from 20-ft to 5-ft
EXISTING LAND USE:	Single-Family Residential Lot

This is a public hearing.

Michael and Dena Walcom are requesting a variance to relax the rear yard setback from the required 20 ft to 5 ft in order to build an addition to the home. The variance is requested due to their determination of topographic reasons and the limited building area on the lot. There is currently a home, out buildings, a storage container, a well-house, and septic drainfield on the property.

(Background)

On July 31, 2017, the property owners received a setback variance to allow construction within 10-ft of the rear property line (Variance Application V-1-17). This variance was requested due to a water line easement and topographic features. The variance expired after 5 years per Valley County Code and they were notified.

Attached are pictures of the site showing the property line, existing structures, buildings without a permit, etc.

FINDINGS:

1. The current application was submitted on March 23, 2026.
2. The Valley County Planning and Zoning Commission held a properly noticed public hearing on May 14, 2026.
3. The matter was tabled to July 9, 2026, at 6:00 p.m. for additional information from the applicant.

4. The Valley County Planning and Zoning Commission held a properly noticed public hearing on July 9, 2026.
5. The Commission unanimously recommended denial of VAR 26-001 on a 5-0 vote.
6. Information received from the applicant (attached):
 - o Application submitted March 23, 2026
 - o Site Plan and picture of existing and proposed changes. (Exhibit 1, May 14, 2026)
 - o Email dated May 21, 2026
 - o Email dated June 21, 2026
 - o Information Received June 28, 2026 - Property history summary focusing mostly on the water line easements, other variance type of approvals, and a request to disregard pictures taken by code enforcement.
 - o Pictures (Exhibit 1, July 9, 2026)
 - o Site Plan Drawn to Scale (Exhibit 2, July 9, 2026)
7. All Agency comment received:

Brent Copes, Central District Health, has no objection. Owners will need to submit an accessory use application to CDH prior to building the addition on the home. (April 14, 2026; July 31, 2026)

Idaho Department of Environmental Quality (DEQ) provided general comments on air quality, wastewater, drinking water, surface water, solid waste, hazardous waste, water quality, ground water contamination, and best management practices. (May 4, 2026; August 3, 2026)

Brandon Flack, Idaho Dept of Fish and Game, had no comments. (May 6, 2026)

Paul Ashton, Parametrix and Valley County Engineer, did not review this application. (Exhibit 2, May 14, 2026)

8. Public comment received:

"Don 57 Berg" is opposed. The property exceeds a half-acre and are not oddly shaped nor have significant topographical issues that warrant a setback variance. All the current structures were built by the current property owner. There is sufficient area toward the interior of the property to expand the existing home. The water line easement is toward the front of the property, not the back. (April 25, 2026)

Jeff Youtz, property owner in Crown Point Subdivision No. 2, opposed the variance request and concurred with the other neighbor's response. Staff should look at all the structures on the property and confirm that the proper setbacks, permits, and other requirements are adhered to. (April 27, 2026)

Matt and Alison Haupt, 29 Robbins Drive, are opposed and do not believe the applicant has acted in good faith with the existing variance. A site investigation is recommended. (April 27, 2026)

Other phone calls were received that in opposition. They claimed after receipt of the original 10-ft variance the applicants constructed beyond the approved variance without a building permit. They also said the structure did not have a concrete foundation, that a deck was enclosed, and

now there is a 2 ½-ft setback from the neighbor. They are also concerned that property line pins have been pulled and there is dumping of yard waste on state land.

5. Valley County Code:

9-5H-10: VARIANCES:

- A. Conditions: Pursuant to Idaho Code section 67-6516, the commission shall be empowered to grant variances relaxing or modifying the requirements of this title with respect to lot size, setbacks, parking space, height of buildings, or other provisions of this title affecting the size or shape of a structure upon lots, and other land use requirements of this title. In the case of a PUD involving variations from the requirements of this title, it shall not be necessary for the applicant to file a separate application for such variances. Variances may also be heard simultaneously with conditional use permit applications.
- B. Application:
1. A variance may be granted to an applicant only upon a showing of undue hardship as a result of characteristics of the site.
 2. A written application for a variance shall be submitted to the administrator or staff containing:
 - a. Description of the nature of the variance requested.
 - b. A narrative statement and graphic material demonstrating:
 - (1) That special conditions and circumstances exist which are not a result from any action of the applicant, which are peculiar to the land use or structure involved, and which are not applicable to other similar or adjacent lands, uses, or structures.
 - (2) That granting the variance requested will not result in any special privilege otherwise denied to other similar or adjacent lands, uses, and structures.
 - c. A site plan showing the location of the variance and the special characteristics of the site.
 - d. A list of adjoining property owners within three hundred feet (300') of the site.
 - e. The fee set by resolution of the board shall accompany the application for a variance.
- C. Procedure: An application for a variance shall be reviewed by the administrator or staff and the commission in accordance with section 9-5H-11 of this article. The administrator shall post notice of the public hearing to the applicant, adjoining property owners, on site, and the public in accordance with subsection 9-5H-6B of this article.
- D. Granting Of Variance:
1. A variance may be granted if the commission makes specific findings of fact based directly on the particular evidence in the application which supports the conclusion that the above conditions have been met by the applicant.
 2. Within ten (10) days after a decision has been rendered, the administrator or staff shall provide the applicant with written notice of the action by regular mail if so requested by the applicant.
 3. The commission's decision shall be a recommendation to the board.
 4. The clerk, upon receipt of a recommendation from the commission, shall set the item on the agenda of the board at the earliest possible regular meeting of the board.
 5. The board shall consider and act upon the commission's recommendations by following the procedures outlined in section 9-5H-11 of this article. However, if the commission's recommendation is unanimous and there is no opposition to approval of the variance, then the board need not hold a public hearing, but may make a decision as a regular agenda item. Only the applicant must be notified as to the time on the agenda of the public meeting.
 6. A permit for the variance may be issued by the administrator or staff only after approval by the board.
 7. The variance approval is valid for five (5) years, unless a more specific date is specified.

9-4 PERMITTED USES

9-4-3-2: SETBACKS:

- A. Buildings Exceeding Three Feet In Height: The setbacks for all buildings exceeding three feet (3') in height shall be in accordance with section 9-4-8, table 4-A of this chapter.
 - B. Setback From Highway 55: All buildings shall be set back one hundred feet (100') from the right of way line of Highway 55 unless a more restrictive setback is required within other sections of this title.
 - C. High Water Lines And Ditches: All residential buildings shall be set back at least thirty feet (30') from high water lines and ditches. All other buildings shall be set back at least one hundred feet (100') from high water lines and ditches.
 - D. Front Yard: Front yard shall be determined by the structure establishing the principal use on the property and the access street or road.
 - E. Encroachment By Other Structures: No other structures may encroach on the yards determined for the structure establishing the principal use.
 - F. Measurement: Setbacks shall be measured horizontally, perpendicular to the property line, to the nearest corner or projections or overhang.
 - G. Adjustment Of Front Or Rear Yard Setbacks: The minimum front or rear yard setbacks may be adjusted to allow a proposed principal use building to conform with the average setback of existing similar buildings on adjoining properties within the same block; however, no setback may be less than seven and one-half feet (7.5').
 - H. Lots Having Common Boundary Line With BLM Property Surrounding Cascade Reservoir: Minimum rear yard setbacks for those lots having a common boundary line with bureau of reclamation property surrounding Cascade Reservoir are seven and one-half feet (7.5'), but may not be less than that provided for in subsection C of this section.
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STAFF COMMENTS / QUESTIONS:

1. This site is within the Cascade Fire District, Water District 65K, and a herd district. It is not within an irrigation district.
2. The applicant states that the rear of the property adjoins State of Idaho land. **This is incorrect.** There is an approximately 18-ft "gap" that is owned by Duane L Mayer. The applicant should confirm the correct property line. The site plan submitted with the application does not give the property boundary lengths.
3. The Planning and Zoning Commission was tasked with determining if the 1) future development of the neighborhood would be inhibited by the variance and 2) identify the topographic reason for the variance. The Commission concurred that:
 - Pursuant to Idaho Code section 67-6516 and Valley County Code 9-5H-10, the Planning and Zoning Commission recommends to the Board of County Commissioners denial of the variance. The Board is empowered to grant variances relaxing or modifying the requirements of this title with respect to lot size, setbacks, parking space, height of buildings, or other provisions of this title affecting the size or shape of a structure upon lots, and other land use requirements of this Valley County Code Title 9.
 - The Commission is tasked to consider the interests of the adjacent property owners, of the neighborhood, of utilities, and of various public agencies for all variance requests.

- That the proposed variance is not in harmony with the general purpose of the adopted ordinances and policies.
- Per Valley County Code 9-5H-10, Variances may be granted to an applicant only upon showing of undue hardship as a result of characteristics of the site. Commissioners concurred that this requirement has not been met.
- Idaho Code 67-6516. Variance — Definition — Application — Notice — Hearing. Each governing board shall provide, as part of the zoning ordinance, for the processing of applications for variance permits. A variance is a modification of the bulk and placement requirements of the ordinance as to lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, height of buildings, or other ordinance provision affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots. A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon a showing of undue hardship because of characteristics of the site and that the variance is not in conflict with the public interest. Prior to granting a variance, notice and an opportunity to be heard shall be provided to property owners adjoining the parcel under consideration and the manager or person in charge of the local airport if the variance could create an aviation hazard as defined in section 21-501, Idaho Code. Denial of a variance permit or approval of a variance permit with conditions unacceptable to the landowner may be subject to the regulatory taking analysis provided for by section 67-8003, Idaho Code, consistent with the requirements established thereby.
- That the applicant has not shown that special conditions and circumstances exist which are not a result from any action of the applicant, which are peculiar to the land use or structure involved, and which are not applicable to other similar or adjacent lands, uses, or structures.
- Previous construction by the applicant / property owner has limited the building sites on this lot.
- Other options are available that would allow new construction to meet the required setbacks. These include design changes, change in proposed square footage, change in building orientation, and/or altering the terrain by excavation and/or fill.
- The Commission unanimously recommended denial of the variance request.

4. The applicant has submitted a building permit application with a setback of 10-ft based on the V-1-17 approval. Although this approval expired after five years, the Board may want to consider a modification of the current request for a 15 ft reduction to allow a 5-ft setback and reinstate the previously approved variance to allow a 10-ft setback.

Staff did deny the permit for a 10-ft setback because the variance approval expired. The applicant argues that they established the 10-ft variance for the current structure, and the variance should be extended along the entire property line. The P&Z Commission agreed with staff, but the Board may find that they desire to reinstate the previously approved variance.

ATTACHMENTS:

- Planning and Zoning Facts and Conclusions
- Relevant Portion of Planning and Zoning Meeting Minutes

- May 14, 2026
 - July 9, 2026
- Pictures of Site
- Location Map
- Aerial Map
- Google Maps – Aerial View
- Assessor Plat – T.14N R.3E Section 23
- Crown Point Subdivision No. 2 - Assessors Annotated Plat
- Record of Survey 13-128
- Facts and Conclusions for V-1-17
- Well Easement – Instrument 145048
- Photos Taken April 21, 2026, April 28, 2026; April 30, 2026; August 4, 2026
- Responses
- Submittals from Applicant

END OF STAFF REPORT

**FINDINGS OF FACT AND CONCLUSIONS OF LAW BEFORE
THE VALLEY COUNTY PLANNING AND ZONING COMMISSION**

SUBJECT: VAR26-001 Walcom Setback Variance

INTRODUCTION

This matter came before the Valley County Planning and Zoning Commission on May 14, 2026. The Commission reached a quorum. Commission members in attendance were Ben Oyarzo, Carrie Potter, Heidi Schneider, and Chairman Ken Roberts. The matter was tabled to July 9, 2026, at 6:00 p.m., for additional information.

This matter came before the Valley County Planning and Zoning Commission on July 9, 2026, at approximately 7:08 p.m. The Commission reached a quorum. Commission members in attendance were Carrie Potter, Heidi Schneider, and Ken Roberts. Brad Mabe participated remotely via Microsoft Teams.

Michael Walcom, the applicant, was present and requested 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.

FINDINGS OF FACT

Having given due consideration to the application and evidence presented at the Public Hearings, which are summarized in the Minutes of the Commission's meetings dated May 14, 2026, and July 9, 2026, the Valley County Planning and Zoning Commission hereby made the following findings of fact:

1. That the proper legal requirements for advertisement of the hearing have been fulfilled as required by the Valley County Land Use and Development Ordinance, Valley County Code, and by the Laws of the State of Idaho.
 - The complete application was received from the applicant on March 23, 2026.
 - The applicant was notified on April 14, 2026.
 - Legal notice was posted in the *Star News* on April 23, 2026; and April 30, 2026.
 - Potentially affected agencies were notified on April 14, 2026.
 - Neighbors within 300 feet of the property line were notified by fact sheet sent April 16, 2026.
 - The notice and extension request were posted online at www.co.valley.id.us on April 14, 2026..
 - The agenda that was sent to the applicant, agencies, the city of Cascade, and neighbors and posted online stated the meeting started at 4:00 p.m., the fact sheet stated 6:00 p.m. Therefore, on April 22, 2026, the applicant, potentially affected agencies, and neighbors within 300 feet of the property line were noticed that the meeting start time was 4:00 p.m.
 - The site was posted on April 21, 2026. The meeting time was corrected to 4:00 p.m. on April 28, 2026.
 - A public hearing was held on May 14, 2026.
 - The matter was tabled to July 9, 2026, at 6:00 p.m. for further information.

- Since a specific date and time was included in the approved motion to table VAR 26-001, additional notice was not required. However, the applicant was notified by letter sent June 9, 2026. Legal notice was posted in the *Star News* on June 18, 2026, and June 25, 2026.
 - A public hearing was held on July 9, 2026.
2. No one commented during public testimony on the proposal. Written comments were received from agencies and the public. See the staff report and minutes of the meetings.

CONCLUSIONS

Based on the foregoing findings, the Valley County Planning and Zoning Commission concludes as follows:

1. Pursuant to Idaho Code section 67-6516 and Valley County Code 9-5H-10, the Planning and Zoning Commission recommends to the Board of County Commissioners denial of the variance. The Board is empowered to grant variances relaxing or modifying the requirements of this title with respect to lot size, setbacks, parking space, height of buildings, or other provisions of this title affecting the size or shape of a structure upon lots, and other land use requirements of this Valley County Code Title 9.
2. The Commission is tasked to consider the interests of the adjacent property owners, of the neighborhood, of utilities, and of various public agencies for all variance requests.
3. That the proposed variance is not in harmony with the general purpose of the adopted ordinances and policies.
4. Per Valley County Code 9-5H-10, Variances may be granted to an applicant only upon showing of undue hardship as a result of characteristics of the site. Commissioners concurred that this requirement has not been met.
5. That the applicant has not shown that special conditions and circumstances exist which are not a result from any action of the applicant, which are peculiar to the land use or structure involved, and which are not applicable to other similar or adjacent lands, uses, or structures.
6. Previous construction by the applicant / property owner has limited the building sites on this lot.
7. Other options are available that would allow new construction to meet the required setbacks. These include design changes, change in proposed square footage, change in building orientation, and/or altering the terrain by excavation and/or fill.
8. The Commission unanimously recommended denial of the variance request.

ORDER

The Valley County Planning and Zoning Commission, pursuant to the aforementioned, recommends that the application of Michael & Dena Walcom for VAR 26-001 Walcom Setback Variance, as described in the application, staff report, correspondence, and minutes of the meeting be denied.

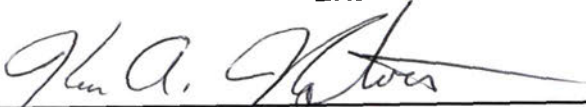
**NOTICE OF FINAL ACTION AND
RIGHT TO REGULATORY TAKING ANALYSIS**

The Applicant is hereby notified that pursuant to Idaho Code §67-8003, an owner of real property that is the subject of an administrative or regulatory action may request a regulatory taking analysis. Such requests must be in writing and must be filed with the Valley County Clerk not more than twenty-eight (28) days after the final decision concerning the matter at issue. A request for a regulatory takings analysis will toll the time period within which a Petition for Judicial Review may be filed.

Please take notice that if this is a decision of the Planning and Zoning Commission it can be appealed to the Valley County Board of Commissioners in accordance with Valley County Code 9-5H-12. The appeal should be filed with the Valley County Planning and Zoning Administrator within ten days of the decision.

Please take notice that if this is a decision of the Board of County Commissioners it is a final action of the governing body of Valley County, Idaho. Pursuant to Idaho Code §67-6521, an affected person i.e., a person who has an interest in real property which may be adversely affected by the issuance or denial of the application to which this decision is made, may within twenty-eight (28) days after the date of this Decision and Order, seek a judicial review as provided by Chapter 52, Title 67, Idaho Code, after seeking reconsideration within 14 days in accordance with Valley County Code 9-5H-13 and Idaho Code §67-6535 .

END FACTS AND CONCLUSIONS



Valley County Planning and Zoning Commission Chairman

Date: 8/13/2026

Valley County Planning and Zoning Commission

PO Box 1350 • 700 South Main Street
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Phone: 208-382-7115
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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
May 14, 2026
Valley County Court House - Cascade, Idaho
PUBLIC HEARING - 4:00 p.m.

A. OPEN: Meeting called to order at 4:06 p.m. by Chairman Roberts. A quorum exists.

PZ Director – Cynda Herrick:	Present
PZ Commissioner – Brad Mabe	Excused
PZ Commissioner – Ben Oyarzo:	Present
PZ Commissioner – Carrie Potter:	Present
PZ Commissioner – Ken Roberts:	Present
PZ Commissioner – Heidi Schneider:	Present
PZ Planner II – Lori Hunter:	Present

B. MINUTES: Commissioner Schneider moved to approve the minutes of March 31, 2026; April 9, 2026; and April 21, 2026. Commissioner Potter seconded the motion. Motion passed unanimously.

C. OLD BUSINESS:

- 1. SUB 25-003 Tamarack Resort Phase 3.7 Buttercup Villas – Final Plat:** Tamarack Resort Two LLC is requesting 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 10-lot single-family residential lots, an open space lot, and recreational easements. Clearwater Court (private) would be extended to access these lots. The site is a 4.3-acre portion of parcel RP00515006000B in the NESW Section 32, T.16N, R.3E, Boise Meridian, Valley County, Idaho. Not a public hearing. Action Item. *Postponed from March 12, 2026, on request of applicant.*

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 reports, displayed plat and the GIS map on the projector screen, and summarized the following exhibits:

- Exhibit 1** – Paul Ashton, Parametrix and Valley County Engineer, recommended approval of the grading and drainage plans and drainage calculations. (April 1, 2026)
- Exhibit 2** – Paul Ashton, Parametrix and Valley County Engineer, did not review the final plat. (May 7, 2026)

Chris Kirk, planning consultant for Tamarack Resort, concurred with staff report and conditions. He responded to questions from Commissioners. The recreational easement is for residents and is an existing bike trail that will be relocated. The easement accesses Tamarack property and eventually State Land. Sanitary restrictions will be lifted prior to final plat recordation.

4:30 p.m.

D. NEW BUSINESS:

1. **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. 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, displayed the site and GIS map on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Site Plan and picture of existing and proposed changes. (May 11, 2026)
- **Exhibit 2** – Paul Ashton, Parametrix and Valley County Engineer, did not review this application. (May 7, 2026)

Director Herrick added she did discuss this application with the Idaho Department of Lands (IDL) personnel. Once IDL confirmed that they did not manage land immediately adjacent to the site, they had no comments.

Director Herrick discussed the site and previous history of the property. A shed was converted, with the proper building permit, to residential use. In 2017, the property owner received a variance. The owners then enclosed the addition which they should not have done. The applicant would like to demolish the enclosed structure and add on to the south of the house. Director Herrick further explained **Exhibit 2** and the desires of the applicant. The house is not "true" parallel with the rear property line.

Chairman Roberts asked for the applicant's presentation.

Michael Walcom, 31 Robbins Drive, stated much of the comments in opposition is due to his refusal to allow easements across the property. He previously believed everything was above board. If less than 4-ft tall, a retaining wall does not need to be engineered. Neighbors have a woodshed over property line onto his property line. He is here to rectify mistakes. The original variance was approved due to topographic reasons, too much granite, and existing waterline easements at the site. The septic system is in front of the house, further limiting building locations. Contractors have said the extra five feet would be good due to the property line location.

Director Herrick stated the subdivision was platted in the 1960's.

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 the proposal and the site and asked Staff for further clarification of what has occurred. The building was originally permitted as shed. It was then permitted as a residence through the Building Department. If someone was to build today, they would have to follow the current setbacks. The 2017 variance was approved due to topography and a waterline easements. The site plan in the staff report shows a waterline abandoned in 2022 as the waterline was outside of the approved easement. This waterline issue has lead to a neighborhood dispute. A record of survey from 2025 shows the location of the pumphouse. The well house was constructed in the wrong location. The guidelines for approval of a

variance are included in the staff report. Variances are approved for hardships due to topographic reasons and things beyond the applicant's control.

Chairman Roberts would like more information including a more accurate site plan that includes dimension, water easements, all structures, septic location and alternate drainfield location. Commissioner Schneider concurred.

The addition that appears to be on the line will be removed. Pictures in the staff report were further discussed.

Commissioner Schneider moved to table VAR 26-001 Walcom Setback Variance to July 9, 2026, at 6:00 p.m.; Commissioner Potter seconded the motion. Motion passed unanimously.

4:56 p.m.

2. VAR 26-002 Koskella Shared Driveway Variance: Kenneth Koskella is requesting a variance for a shared driveway for four residences. The driveway currently accesses three homes addressed at 12704, 12710, and 12714 Koskella Road. The new home would be within parcel RP16N03E366005 in the SWSW Section 36, 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, displayed the site and GIS map on the projector screen, and summarized the following exhibits:

- **Exhibit 1** – Paul Ashton, Parametrix and Valley County Engineer, did not review this application. (May 7, 2026)

Shared Driveways for more than three residences require a variance approved by the Board of County Commissioners.

A correction was made to the staff report; the site is within Water District 65, not 65K.

Chairman Roberts asked for the applicant's presentation.

Kenneth Koskella concurred with staff report and presentation. The existing driveway cannot go further north or east due to topography and wet areas. Steep topography and a ditch limit the access. Therefore, a variance is appropriate.

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. Commissioner Schneider stated the request is straightforward and she sees no issues nor impact. Commissioner Potter concurred.

Commissioner Schneider moved to recommend approval of VAR 26-002 Koskella Shared Driveway Variance to the Board of County Commissioners. Commissioner Oyarzo seconded. Motion passed unanimously.

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.

5:04 p.m.

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,
Valley County Planning & Zoning

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.

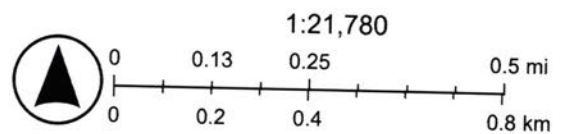
In response to comments regarding the culvert and drainage, the Valley County Road Department determined a culvert was not needed for the driveway approach permit. The culvert was removed when driveway was constructed.

VAR26-001 - Location Map - 31 Robbins Drive



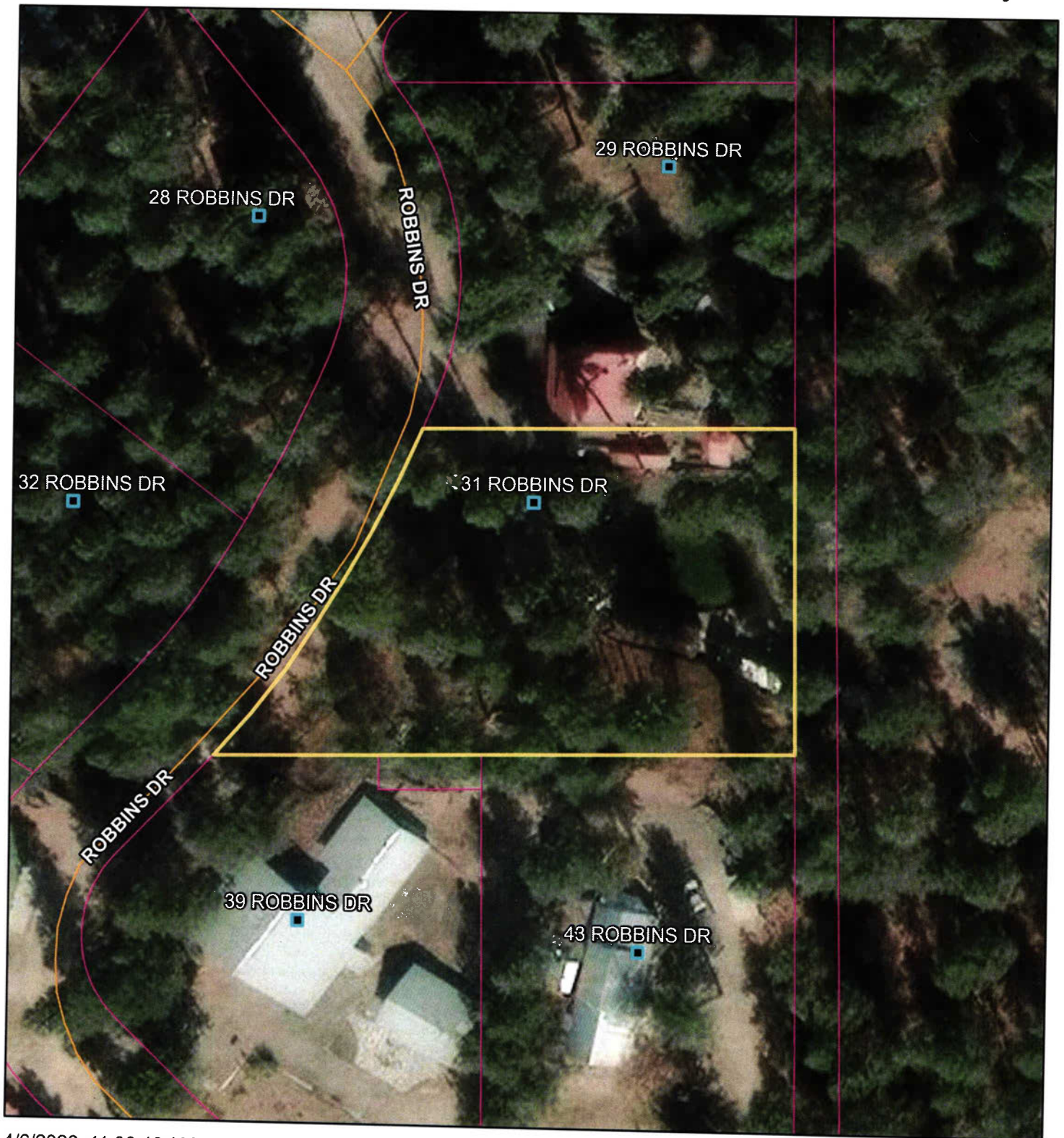
4/6/2026, 11:43:38 AM

- | | | | |
|---|----------------------|---|-------------|
|  | Airstrips |  | COLLECTOR |
|  | Municipal Boundaries |  | URBAN/RURAL |
|  | Parcel Boundaries |  | USFS |
| Roads | |  | PRIVATE |
|  | MAJOR |  | OTHER |
|  | MINOR COLLECTOR |  | Other |



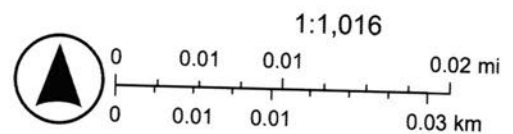
Vantor

VAR26-001 - Aerial Map - Layers may not be lined up correctly.



4/6/2026, 11:36:46 AM

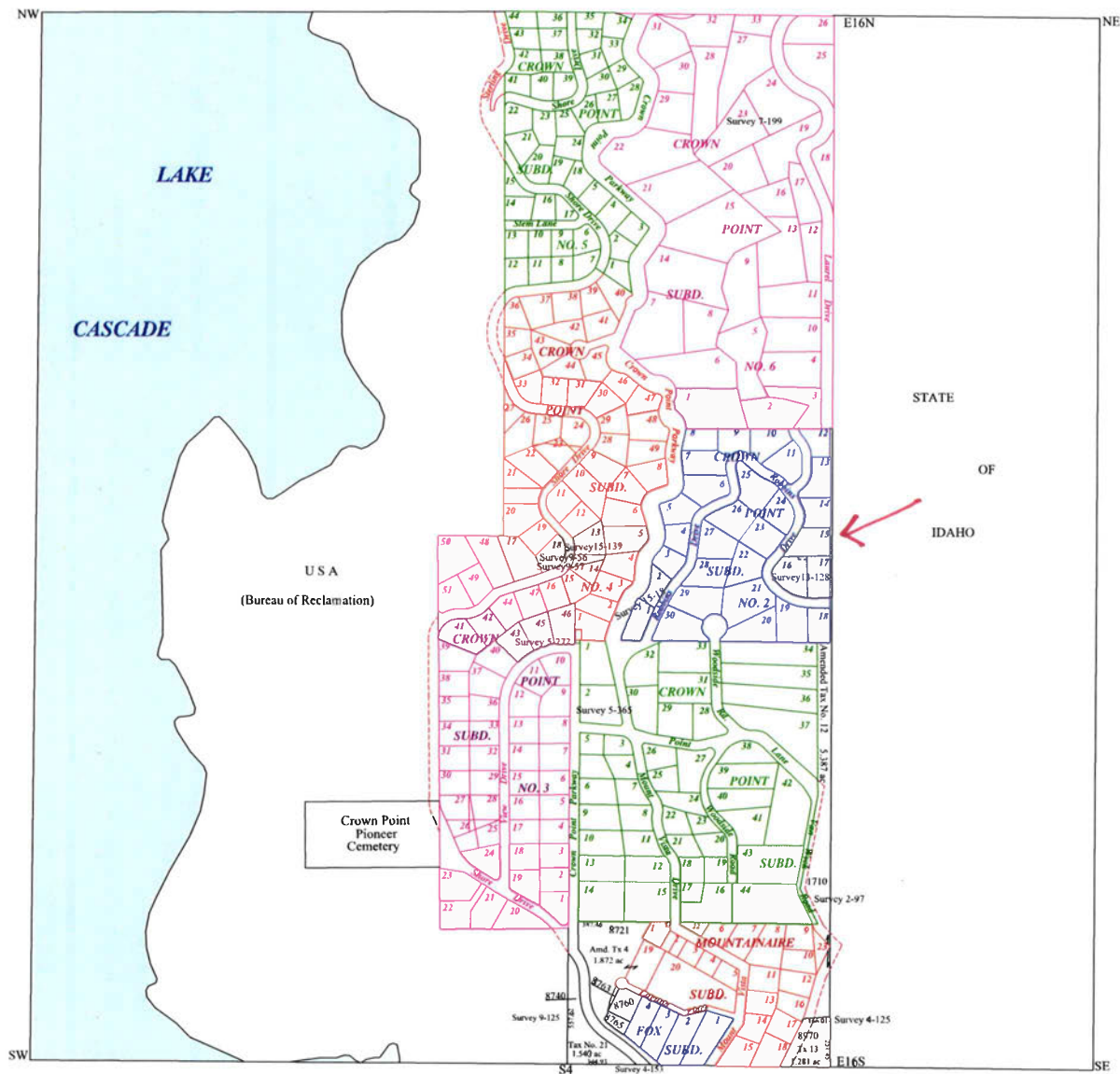
- | | | | |
|---|-------------------|---|-------------|
|  | Airstrips |  | COLLECTOR |
|  | Address Points |  | URBAN/RURAL |
|  | Parcel Boundaries |  | USFS |
| Roads | |  | PRIVATE |
|  | MAJOR |  | OTHER |
|  | MINOR COLLECTOR |  | Other |



Microsoft, Vantor

Google Maps – Aerial View





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

PLAT TITLE

TWP. 14 N. ROSE SEC. 23

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

Filename:
Valley County Base Map
Scale: ~~1"=100'~~
Date: 9/11/2025
Drawn by: L Frederick

CROWN POINT SUBDIVISION NO. 2

A PART OF THE E2 SECTION 23, T.4N., R.3E., B.M., VALLEY COUNTY, IDAHO.

RP 00038

BK 2 Pg. 29 4-11-60

Roads dedicated for Public Use
No Co. Maintenance
See Commissioner Minutes BK 6 Pg. 237

1/4 Corner
Stone

14
23

50°42'W 3164.6'

NW Corner
Crown Point
Subdivision

CROWN POINT SUBDIVISION

EAST 805.98'

SOUTH 1083.88'



CURVE DATA CENTER LINE OF ROADS

Curve No.	Δ-Angle	Radius	Tangent	Length
MOUNT VISTA DRIVE				
1	16°13'	150'	21.37'	42.46'
2	34°14'	80.42'	27.23'	52.83'
3	51°32'	86.42'	42.68'	79.53'
4	34°48'	100'	31.34'	60.74'
5	49°44'	80'	37.08'	69.44'
6	7°52'	500'	34.38'	68.65'
7	69°00'	50'	49.73'	77.67'
8	76°38'	50'	39.51'	66.88'
9	18°54'	180'	29.96'	59.39'
ROBBINS DRIVE				
10	5°40'	800'	39.59'	79.12'
11	12°36'	300'	39.12'	65.97'
12	32°46'	125'	36.75'	71.19'
13	52°40'	80'	39.60'	78.54'
14	12°00'	300'	31.53'	62.83'
15	83°38'	50'	42.73'	72.98'
16	142°08'	42.50'	123.90'	105.43'
17	15°22'	250'	33.73'	67.05'
18	25°44'	150'	34.26'	67.37'
19	62°56'	108'	66.10'	108.00'
20	8°12'	500'	35.84'	71.56'
21	13°00'	300'	34.18'	68.07'
22	90°00'	75'	75.00'	117.81'
23	45°00'	200'	52.84'	157.08'
LAUREL DRIVE				
24	50°52'	75'	35.67'	66.58'
25	38°24'	120'	41.79'	80.42'
26	38°24'	100'	34.82'	67.02'

LEGEND

- 1" Drill Steel set on Exterior Boundary
- 3/8" Reinforcing Bars
- 1/2" Reinforcing Bars

RECORD OF SURVEY

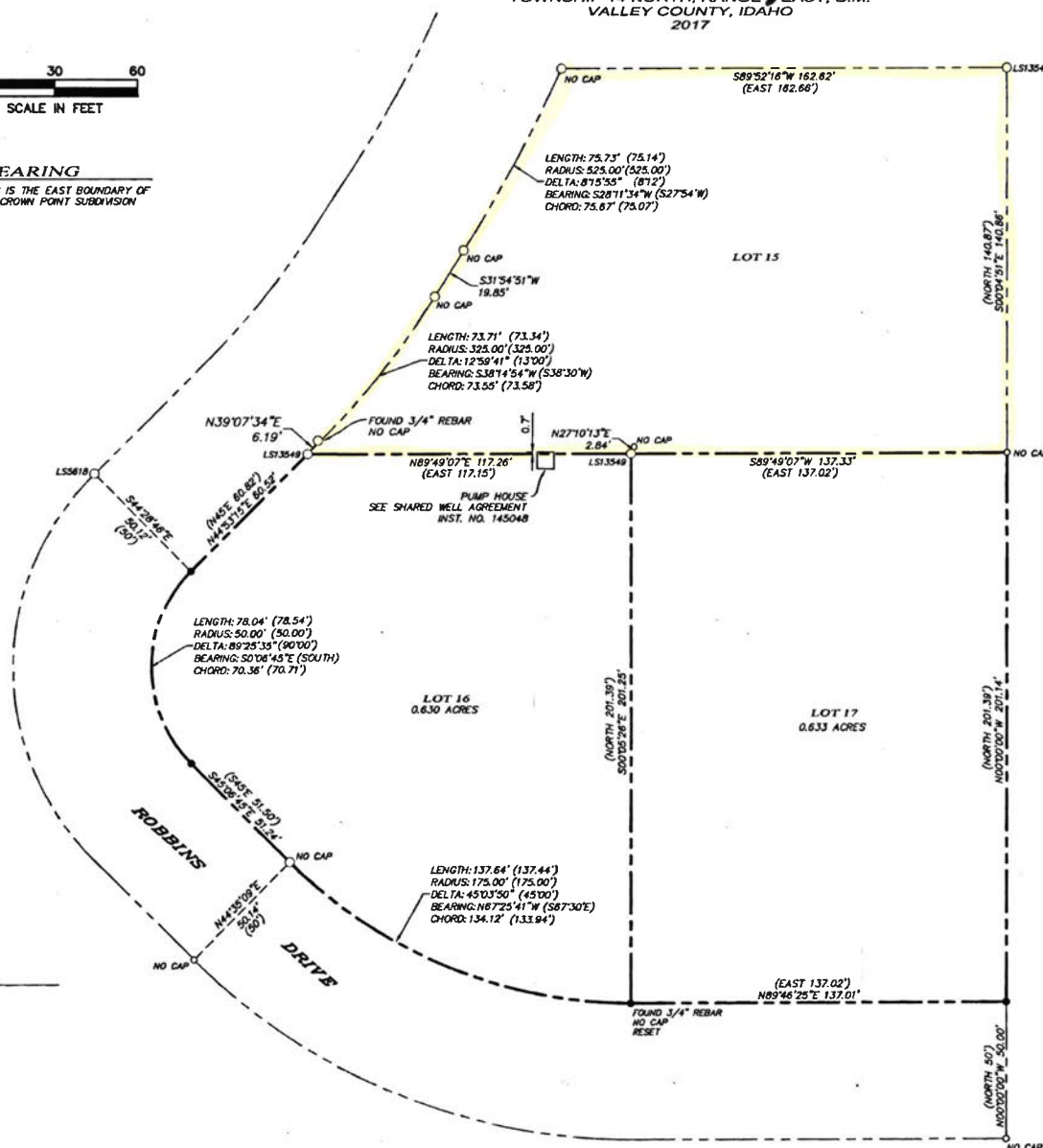
FOR
ALICE VAN DORN
LOTS 16 & 17
CROWN POINT SUBDIVISION NO. 2
SECTION 23
TOWNSHIP 14 NORTH, RANGE 3 EAST, B.M.
VALLEY COUNTY, IDAHO
2017

Instrument # 410867
VALLEY COUNTY, CASCADE, IDAHO
12-29-2017 02:58:25 PM No. of Pages: 1
Recorded for: DUNN
DOUGLAS A. MILLER
Ex-Officio Recorder Deputy
Fees: \$ 0.00
THIS IS RECORD OF SURVEY



BASIS OF BEARING

THE BASIS OF BEARING IS THE EAST BOUNDARY OF LOT 17, SEE PLAT OF CROWN POINT SUBDIVISION NO. 2.



LEGEND

- PARCEL BOUNDARY LINE
- - - EXISTING LOT LINE
- SET 5/8" X 30" IRON PIN WITH PLASTIC CAP
LS14217
- FOUND 5/8" REBAR
- FOUND 1/2" REBAR
- (WEST 100.00') RECORD DATA (SEE REFERENCES)

CERTIFICATE OF SURVEYOR

I, DANIEL T. DUNN, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS MAP HAS BEEN PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION, AND THAT THIS MAP IS AN ACCURATE REPRESENTATION OF SAID SURVEY, AND IS IN CONFORMITY WITH THE CURRENT LAWS OF THE STATE OF IDAHO PERTAINING TO PLATS AND SURVEYS.



REFERENCES

PLAT OF CROWN POINT SUBDIVISION NO. 2
BOOK 2, PAGE 29.

SHEET 1 OF 1

25 COYOTE TRAIL
CASCADE, ID 83611
PHONE: (208) 634-6896
WWW.DUNNLANDSURVEYS.COM



**FINDINGS OF FACT AND CONCLUSIONS OF LAW BEFORE
THE VALLEY COUNTY PLANNING AND ZONING COMMISSION**

SUBJECT: Variance No. V-1-17
 Walcom Variance to
 Relax Rear Yard Setback

INTRODUCTION

This matter came before the Valley County Planning and Zoning Commission on July 13, 2017. The Commission reached a quorum. Commission members in attendance were Chairman Rob Garrison, Ed Allen, Johanna Defoort, and Scott Freeman.

The applicant, **Michael & Dena Walcom**, 3599 E Judicial Drive, Meridian, ID 83642, were present and requesting a variance to relax the rear yard setback from the required 20 feet to 10 feet, due to a water line easement and topographic features, in Crown Point Subdivision # 2, Lot 15, addressed at 31 Robbins Drive, Cascade, Idaho. The site is 0.66 acres.

FINDINGS OF FACT

Having given due consideration to the application and evidence presented at the July 13, 2017, public hearing, the Valley County Planning and Zoning Commission hereby makes the following findings of fact:

1. That the existing use of the properties described in the Petition is a single family residential lot adjacent to other single family residential lots and State of Idaho lands.
2. That the surrounding land use is single family residential.
3. That the proper legal requirements for advertisement of the hearing have been fulfilled as required by the Valley County Land Use and Development Ordinance and by the Laws of the State of Idaho.

Legal notice was posted in the *Star News* on June 22 & 29, 2017. Neighbors within 300 feet of the property line were notified by letter mailed June 14, 2017. Potentially affected agencies were notified by letter dated June 9, 2017. The site was posted on July 1, 2017

4. Notice was mailed to governmental entities.
5. Other persons in attendance expressed neither approval nor disapproval of the proposed variance.

CONCLUSIONS

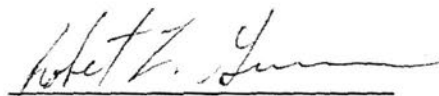
Based on the foregoing findings, the Valley County Planning and Zoning Commission concludes as follows:

1. That the proposed use is in harmony with the general purpose of the adopted ordinances and policies and will not be otherwise detrimental to the public health, safety and welfare.
2. The applicant did show undue hardship as a result of characteristics of the site due to the previously placed water line easement and topographic hardships.

ORDER

The Valley County Planning and Zoning Commission, pursuant to the aforementioned, unanimously recommends to the Board of County Commissioners that application V-1-17 Walcom for a variance to allow relaxation of the rear yard setback, 10' from the required 20' to 10', in order to construct a single family residence, as described in the application, staff report, and minutes of the meeting be approved.

END FACTS AND CONCLUSIONS


Chairman Rob Garrison

08/10/12
Date

ARTICLE OF ASSOCIATION

FOR AND IN CONSIDERATION of the covenants and mutual promises contained herein, the undersigned do hereby enter into the following Articles of Association.

ARTICLE I

Section 1: This association shall be called the Crown Point Domestic Water Maintenance Association.

Section 2: The objects of this association are to maintain the existing well and water main constituting a Non-Profit Community Domestic Water System for Lots 14, 15, 16, 17, 18, 19, 20 and 21 of Crown Point Subdivision #2 of Valley County, Idaho.

Section 3: An undivided 1/8 interest in the Domestic Well, equipment and maintenance liability will be apparent to each of the numbered lots referenced in Section #2.

ARTICLE II

Section 1: There shall be elected annually by the Association a Secretary and Treasurer, whose responsibilities shall be the Administration of the books and records of this Association and the Collection and Banking of the Maintenance Fees as provided herein.

ARTICLE III

Section 1: Membership in this Association shall consist of those property owners of the above referenced lots, and their successors in interest shall comply with the provisions herein.

ARTICLE IV

Section 1: The said well which is owned in part by each of the above referenced lot property owners is located in Lot #16 W (well) of Crown Point Subdivision #2 and shall be maintained by the Association in order that each of the Lots will be provided with water according to their common needs and accordance with water commonly available.

Section 2. The Secretary-Treasurer shall collect in whatever manner he thinks fit, a monthly fee amounting to \$5.00 per month per member property owner, or the monthly fee that the Association membership determines to be necessary for the purpose of payment of electricity to operate pump and equipment, and normal purchase and maintenance of pump, pressure tank and other equipment required to meet the members' needs for Domestic Well Water, and for real estate property taxes assessed by Valley County. If a member user does not pay the monthly fee set, then the association shall have the right to turn off the water to that user and collect through the Court Systems.

Section 3: The property owner and/or their successors in interest shall not be required to pay monthly fees of \$5.00 per month as stated in Section 2, until such time as they have the service of the Domestic Water from the well on Lot 16W, to their lot.

ARTICLE V

Section 1: It is hereby agreed by the members of this Association that at the time the second user requires service of the Domestic Water from the well on Lot 16W that the membership of the Association call a meeting to determine the needs for the total system to include power drop and meter at pump head and size of pump, pressure and/or storage tank, pressure relief equipment and required gate valves. The cost of this major equipment and installation shall be shared equally by all the member property owners.

Section 2: It is hereby agreed that the water main shall be high quality city type PVC pipe. From the well site to corner of Lots 18 and 19 a minimum of 2" in diameter and from corner of #18 and #19 to corner of #20 a minimum of 1-1/2" in diameter. From well site to corner of Lots #14 and #15 a minimum of 2" in diameter, two gate valves to be installed at the well site on the main lines; one on the line run-

ning to Lots #14 and #15 and one on the line to Lots #18, #19, #20 and #21.

ARTICLE VI

Section 1: Easements for water main or lines will be provided for and recorded by this Deed as follows: Beginning at the well site 16W near the North East corner of Lot #16, ground 10' wide in width paralleling on the West boundary of Lot #17, in a Southerly direction and across Robbins Dr. to the North corner pin common to Lots #18 and #19, then Westerly along the North boundary of Lot #19 to the North corner pin common to Lots #19 and #21, and then Southerly along the West boundary of Lot #19 approximately 53' to the North Easterly corner pin common to Lots #20 and #21.

Further described as ground 10' in width from the well site in a Westerly direction along the South boundary of Lot #15, then North Easterly along the West of Lot #15 to the West corner pin common to Lots #14 and #15. See Plat Map attached.

ARTICLE VII

Section 1: These articles may be amended by a three-fourths affirmative vote of all the members of the Association expressed orally or in writing at a meeting of the Association, provided that a notice setting forth the proposed amendment and setting forth the date of the meeting shall have been sent to each member at least one month prior to the date set for the meeting.

Section 2: Properly recorded and signed minutes will be kept for each regular and/or special meeting called by the Association.

Antone Chacartegui
Ronald R. Robertson
Paul Erickson
William R. Callender
Richard D. Dainle
John Kozup
Alvin M. Smart

Sharon Chacartegui
Susan Ann Robertson
Ergebnis M. Frisk
Brian R. Callender
Gary L. Davidson
Christine Kozup
Virginia L. Smart

STATE OF IDAHO }
COUNTY OF CANYON } ss

On this 23rd day of August, 1985, before me, a Notary Public in and for said State, personally appeared RONALD R. ROBERTSON and SUSAN A. ROBERTSON, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Alvin K. Halls
Notary Public for Idaho
Residing at Idaho

STATE OF IDAHO }
COUNTY OF CANYON } ss

On this 23rd day of August, 1985, before me, a Notary Public in and for said State, personally appeared ANTONE J. CHACARTEGUI and SHARON L. CHACARTEGUI, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Alvin K. Halls
Notary Public for Idaho
Residing at

STATE OF IDAHO

COUNTY OF CANYON

ss

On this 23rd day of August, 1985, before me, a Notary Public in and for said State, personally appeared S. PAUL FRISK and EVELYN M. FRISK, et al, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Alvin K. Holt
Notary Public for Idaho
Residing at

STATE OF IDAHO

COUNTY OF BOISE

ss

On this 9th day of November, 1985, before me, a Notary Public in and for said State, personally appeared SOLLIE R. CALLENDER and SUSAN R. CALLENDER, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Colman D. Holt
Notary Public for Idaho
Residing at Cascade

STATE OF IDAHO

COUNTY OF ADA

ss

On this 2nd day of July, 1985, before me, a Notary Public in and for said State, personally appeared RICHARD D. DAVIDSON and GAY L. DAVIDSON, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Colman D. Holt
Notary Public for Idaho
Residing at CASCADE, ID

STATE OF IDAHO

COUNTY OF ADA

ss

On this 2nd day of Nov., 1985, before me, a Notary Public in and for said State, personally appeared JOHN and CHRISTINE KOZUP, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Colman D. Holt
Notary Public for Idaho
Residing at CASCADE, IDAHO

STATE OF IDAHO

COUNTY OF ADA

ss

On this 2nd day of July, 1985, before me, a Notary Public in and for said State, personally appeared ALVIN M. and VIRGINIA L. SMART, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Colman D. Holt - CASCADE

145048

STATE OF IDAHO }
County of Valley } ss. _____

Recorded at the request of _____

STATE OF IDAHO, ss. Recorder
County of Valley, ss. _____

I hereby certify that this instrument
was filed for record at the request of
Marvin J. Mac

at 30 minutes past 9

o'clock A.M. on 18

day of Nov 1985

in testimony whereof I have hereunto set my hand and the seal of said office at Boise, Idaho, this _____ day of _____ 1985

Deputy Recorder

Marvin J. Mac

Marvin J. Mac

Marvin J. Mac

Marvin J. Mac

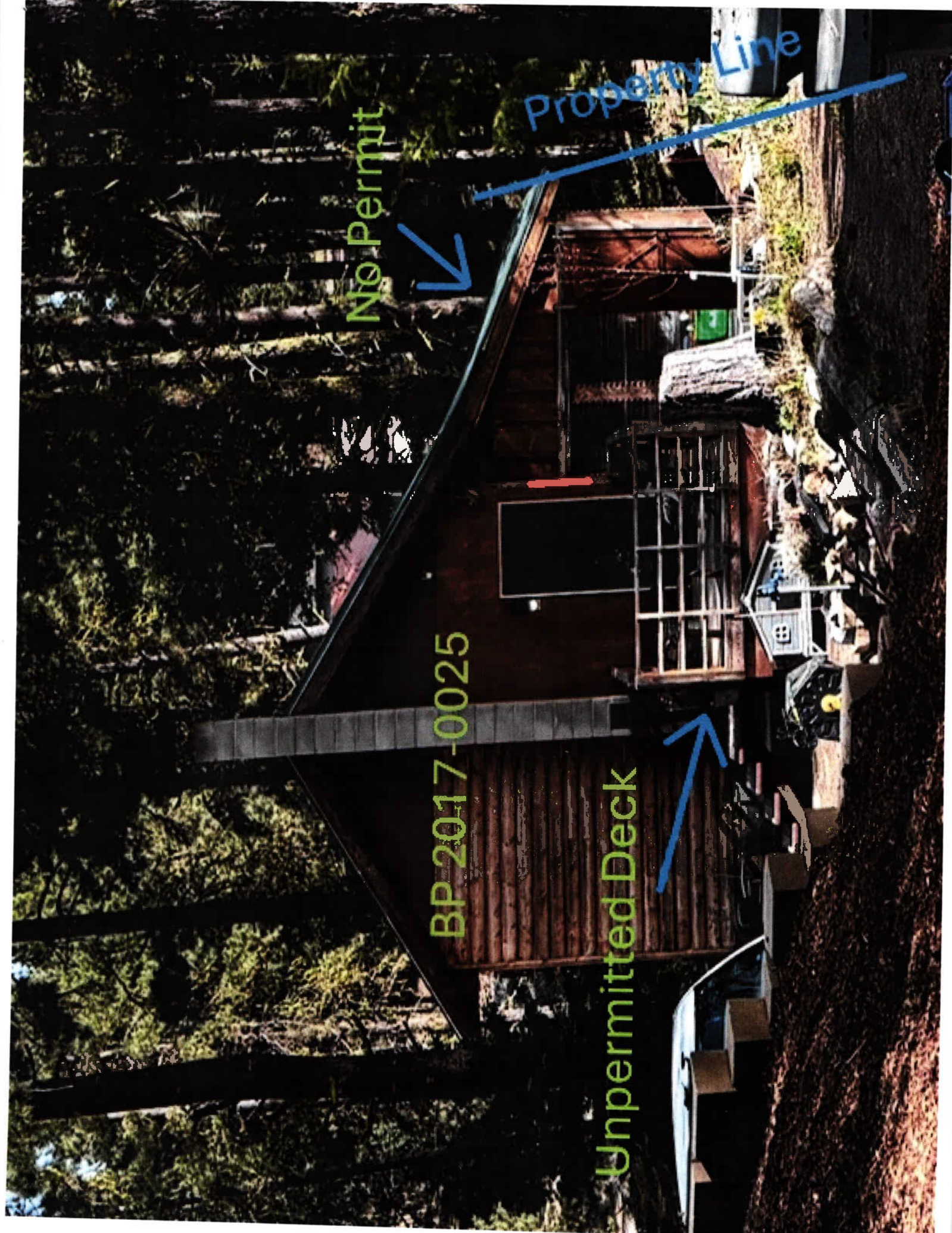
Marvin J. Mac

Marvin J. Mac

Marvin J. Mac

Marvin J. Mac

Marvin J. Mac



Property Line

No Permit

BP 2017-0025

Unpermitted Deck

Unpermitted Addition

House

Property Line

29 Robbins

31 Robbins

View from the front of the property



31 Robbins

RP14N03E231710

Rear Property Line

View from the South Side



Unpermitted Addition



RP14N03E23710

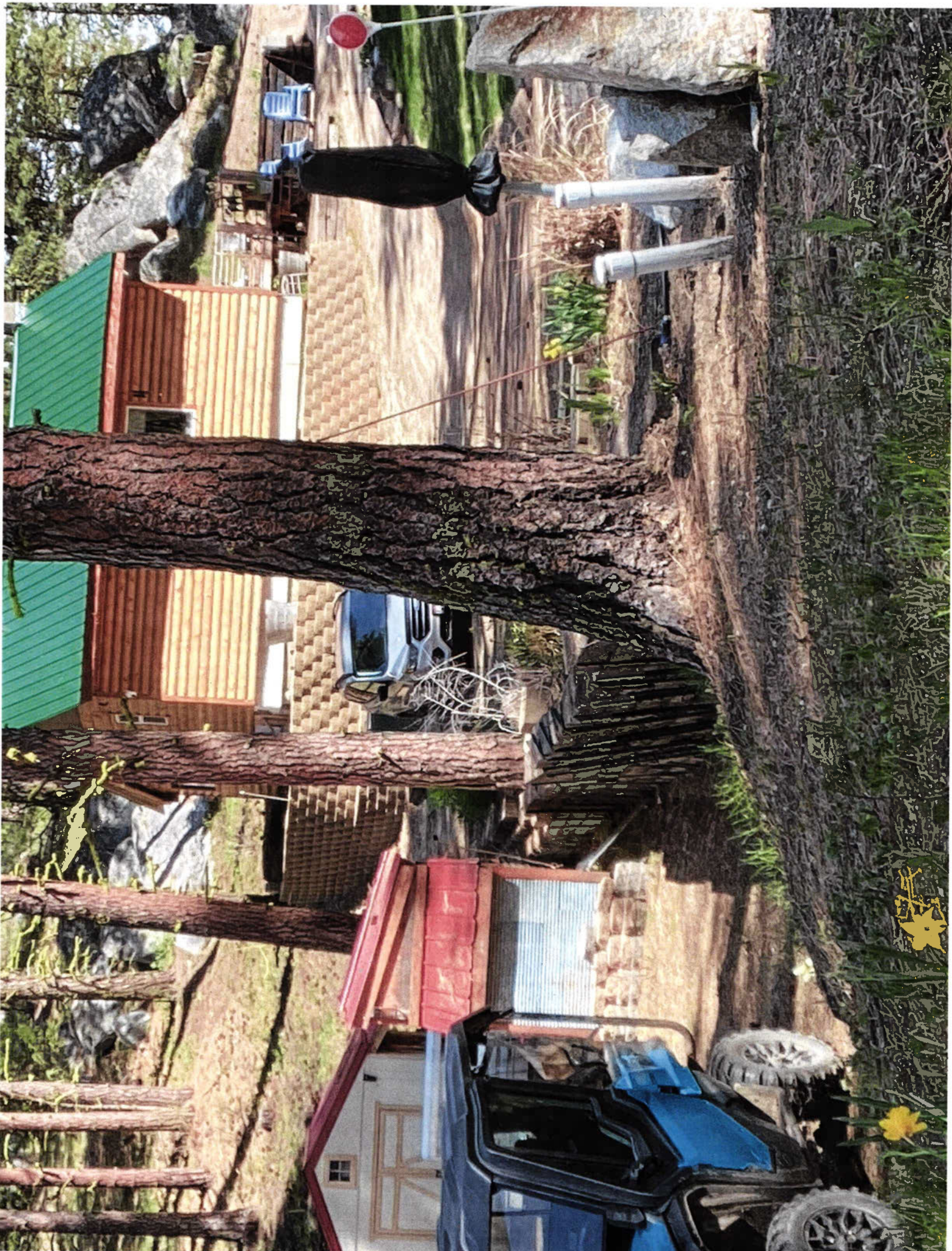
Rear Property Line

View from the South Side

















PUBLIC

Applicant / Property Owner:
J Michael & Dona Wynn
Location: 21 Rubens Drive
Crown Point, Indiana 46032
Lot 15 Wilson East N District 2
T 14N R 3E S34NE Morgan,
Indiana County, 46032

Project Description: 30 (Hwy 6) & China Avenue are reconstructing a variance to use the rear yard setback to 5 feet to build an addition to the home. The variance is requested due to topographic reasons as the limited building area on the lot. There is currently a home, oil buildings, a storage container, a well house, and 600 sq. ft. of grassland on the property.

The standard setback for Valley County is 20 feet from the rear property line.

On July 31, 2027, the property owners received a setback variance to allow construction within 10.8 feet from the rear property line (Variance Application V-1). The variance was requested due to a soil use easement and topographic features.

The 0.06-acre lot is zoned R-31.

More information, including the application, is posted online on Meeting Dashboard at: www.co.valley.ca.us

LOT

PUBLIC HEARING
May 14, 2026

215 North Main Street
Coeville, MD

The two women performed the whole learning under pressure as they played the game like the hearing by going at various parts of space at a very short gap.

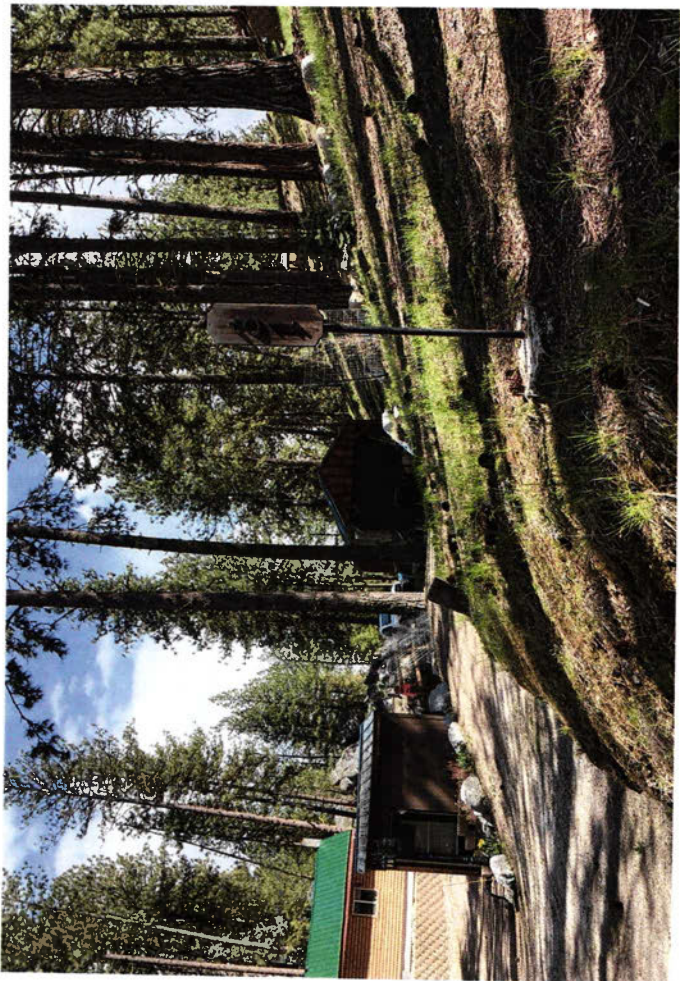
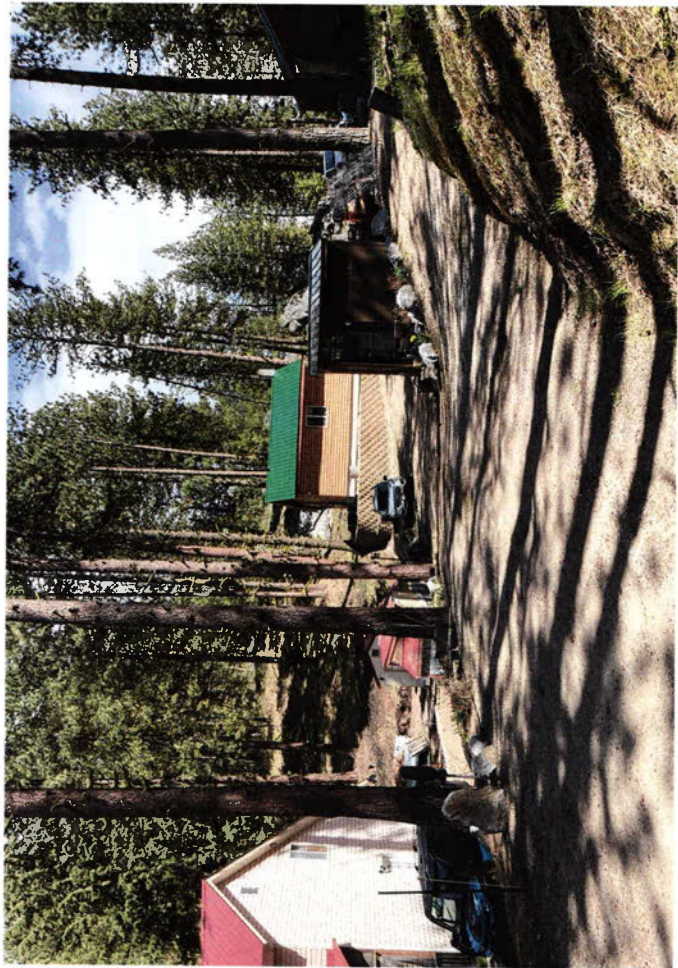
Source: Shreegopal Rao

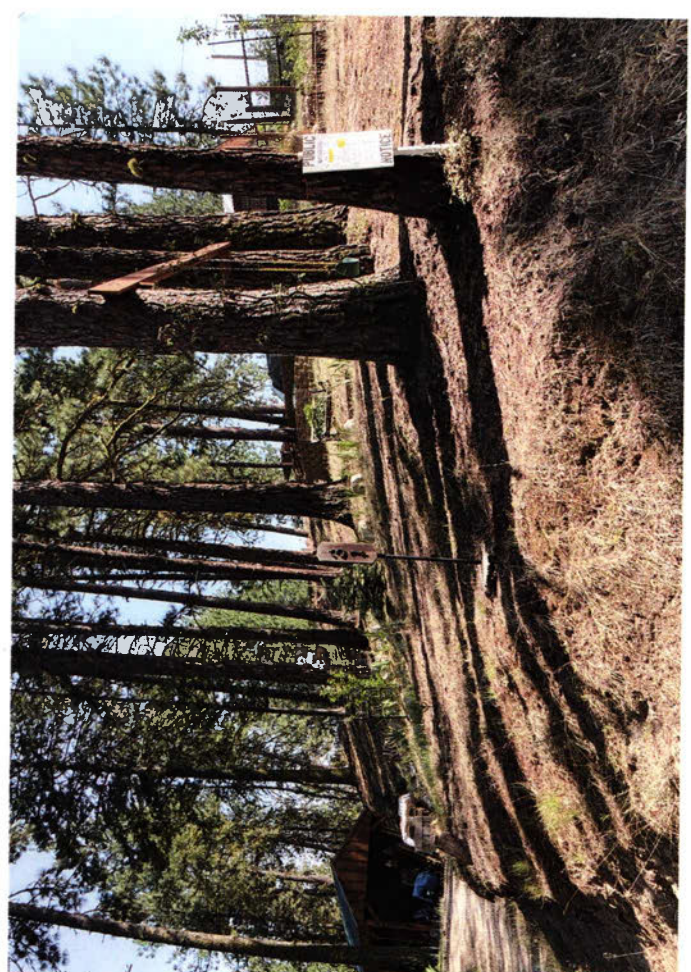
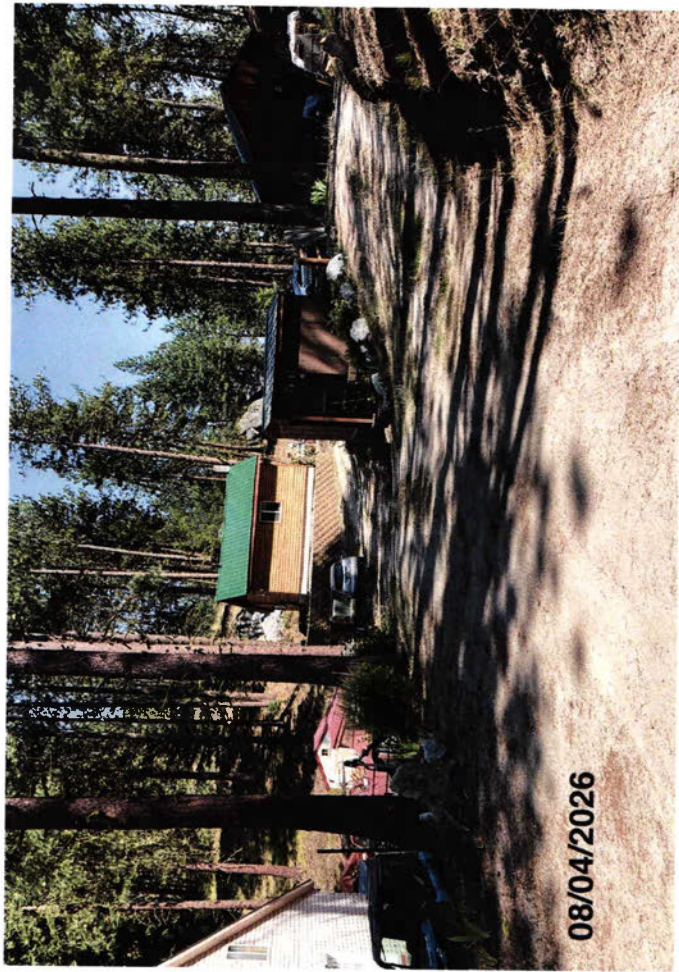
True Insulating is in perfect
You truly (inspired) at part
by 11th Phase Sample that
the arrival of these samples
greater than any past that
received at public events
due to the public hearing
be included in the staff re-
commending that be ven-

Direct questions & write
continuously to:
Lynda Hirsch, ACP, C
Bryn Mawr, PA, NJ

PO Box 1350
Cambridge ID 06611
Tel 862.7129
Perseus@Perseus.com

NOTICE







Valley County Transmittal
Division of Community and Environmental Health

Return to:

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

Rezone # _____

Conditional Use # _____

Preliminary / Final / Short Plat _____

VAR 26-001 Walcom Setback Variance

- ☐ 1. We have No Objections to this Proposal.
- ☐ 2. We recommend Denial of this Proposal.
- ☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
- ☐ 4. We will require more data concerning soil conditions on this Proposal before we can comment.
- ☐ 5. Before we can comment concerning individual sewage disposal, we will require more data concerning the depth of:
☐ high seasonal ground water ☐ waste flow characteristics
☐ bedrock from original grade ☐ other _____
- ☐ 6. This office may require a study to assess the impact of nutrients and pathogens to receiving ground waters and surface waters.
- ☐ 7. This project shall be reviewed by the Idaho Department of Water Resources concerning well construction and water availability.
- ☐ 8. After written approvals from appropriate entities are submitted, we can approve this proposal for:
☐ central sewage ☐ community sewage system ☐ community water well
☐ interim sewage ☐ central water
☐ individual sewage ☐ individual water
- ☐ 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
☐ central sewage ☐ community sewage system ☐ community water
☐ sewage dry lines ☐ central water
- ☐ 10. Run-off is not to create a mosquito breeding problem
- ☐ 11. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- ☐ 12. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- ☐ 13. We will require plans be submitted for a plan review for any:
☐ food establishment ☐ swimming pools or spas ☐ child care center
☐ beverage establishment ☐ grocery store

- ☒ 14. CDH has no objection to the variance. The owners will need to submit an accessory use application to CDH prior to building the addition on the home

Reviewed By: Bruce Coper

Date: 7/14/26



Valley County Transmittal
Division of Community and Environmental Health

Return to:

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

Rezone # _____

Conditional Use # _____

Preliminary / Final / Short Plat _____

VAR 26-001 Walcom Setback Variance

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- ☐ 2. We recommend Denial of this Proposal.
- ☐ 3. Specific knowledge as to the exact type of use must be provided before we can comment on this Proposal.
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☐ central sewage ☐ community sewage system ☐ community water
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- ☐ 12. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- ☐ 13. We will require plans be submitted for a plan review for any:
☐ food establishment ☐ swimming pools or spas ☐ child care center
☐ beverage establishment ☐ grocery store
- ☒ 14. COH has no objection to this proposal.

Reviewed By: Brett J. Cooper

Date: 7/31/26



May 4, 2026

Lori Hunter, Planner II
Valley County Planning & Zoning
700 S. Main Street, Cascade, ID 83611
lhunter@valleycountyid.gov

Subject: Valley County May 14 2026 Letter Response

Dear Lori Hunter:

Thank you for the opportunity to respond to your request for comment. While DEQ does not review every project on a project-specific basis, we attempt to provide the best review of the information provided. DEQ encourages agencies to review and utilize the Idaho Environmental Guide to assist in addressing project-specific conditions that may apply. This guide can be found at: <https://www2.deq.idaho.gov/admin/LEIA/api/document/download/15083>.

The following information does not cover every aspect of this project; however, we have the following general comments to use as appropriate:

1. AIR QUALITY (C1, C2, D4)

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), and trade waste burning (58.01.01.600-617).
- For new development projects, all property owners, developers, and their contractors must ensure that reasonable controls to prevent fugitive dust from becoming airborne are utilized during all phases of construction activities per IDAPA 58.01.01.651.
- DEQ recommends the city/county require the development and submittal of a dust prevention and control plan for all construction projects prior to final plat approval. Dust prevention and control plans incorporate appropriate best management practices to control fugitive dust that may be generated at sites.
- Citizen complaints received by DEQ regarding fugitive dust from development and construction activities approved by cities or counties will be referred to the city/county to address under their ordinances.
- Per IDAPA 58.01.01.600-617, the open burning of any construction waste is prohibited. The property owner, developer, and their contractors are responsible for ensuring no prohibited open burning occurs during construction.
- For questions, contact David Luft, Air Quality Manager, at (208) 373-0550.

2. WASTEWATER AND RECYLED WATER

- DEQ recommends verifying that there is adequate sewer to serve this project prior to approval. Please contact the sewer provider for a capacity statement, declining balance report, and willingness to serve this project.
- IDAPA 58.01.16 and IDAPA 58.01.17 are the sections of Idaho rules regarding wastewater and recycled water. Please review these rules to determine whether this or future projects will require DEQ approval. IDAPA 58.01.03 is the section of Idaho rules regarding subsurface disposal of wastewater. Please review this rule to determine whether this or future projects will require permitting by the local public health district.
- All projects for construction or modification of wastewater systems require preconstruction approval. Recycled water projects and subsurface disposal projects require separate permits as well.
- DEQ recommends that projects be served by existing approved wastewater collection systems or a centralized community wastewater system whenever possible. Please contact DEQ to discuss potential for development of a community treatment system along with best management practices for communities to protect groundwater.
- DEQ recommends that cities and counties develop and use a comprehensive land use management plan, which includes the impacts of present and future wastewater management in this area. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.
- For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0459.

3. DRINKING WATER

- DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system. A drinking water system is a Public Water System (PWS) if it has at least 15 service connections or regularly serves an average of 25 or more people per day for at least 60 days per year (refer to the DEQ website at: <https://www.deq.idaho.gov/water-quality/drinking-water/>). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.
- All projects for construction or modification of public drinking water systems require preconstruction approval.
- If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.
- DEQ recommends using an existing drinking water system whenever possible or construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of groundwater resources.
- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.
- For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0459.

4. SURFACE WATER

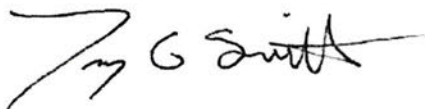
- Please contact DEQ to determine whether this project will require an Idaho Pollutant Discharge Elimination System (IPDES) Permit. A Multi-Sector General Permit from DEQ may be required for facilities that have an allowable discharge of storm water or authorized non-storm water associated with the primary industrial activity and co-located industrial activity.
 - For questions, contact Emily Montague, IPDES Compliance Supervisor, at (208) 373-0433.
 - If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
 - The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at:
<https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html>
 - The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.
 - For questions, contact Lance Holloway, Surface Water Manager, at (208) 373-0564.
- 5. SOLID WASTE, HAZARDOUS WASTE AND GROUNDWATER CONTAMINATION**
- **Solid Waste.** No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards.
 - **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.
 - **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.24.060 and 58.01.24.061). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.24.060.01 and 58.01.24.061.04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.
 - **Groundwater Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."
 - For questions, contact Matthew Pabich, Waste & Remediation Manager, at (208) 373-0510.

6. ADDITIONAL NOTES

- If an underground storage tank (UST) or an aboveground storage tank (AST) is identified at the site, additional regulations may apply. If an UST is present, the site should be evaluated to determine whether the UST is regulated by DEQ. If an AST is identified, EPA may have additional requirements. Both UST and AST sites should be assessed to determine whether there is potential soil and ground water contamination. Please call DEQ at (208) 373-0550, or visit the DEQ website <https://www.deq.idaho.gov/waste-management-and-remediation/storage-tanks/leaking-underground-storage-tanks-in-idaho/> for assistance. If applicable to this project, DEQ recommends that BMPs be implemented for any of the following land uses: wash water from cleaning vehicles, fertilizers and pesticides, animal facilities, composted waste, ponds and outdoor gun ranges. Please contact DEQ for more information on any of these conditions.

We look forward to working with you in a proactive manner to address potential environmental impacts that may be within our regulatory authority. If you have any questions, please contact me, or any of our technical staff at (208) 373-0550.

Sincerely,

A handwritten signature in black ink, appearing to read "Troy G. Smith". The signature is stylized with a large, sweeping initial "T" and "G".

Troy Smith
Regional Administrator

From: BRO Admin <BRO.Admin@deq.idaho.gov>
Sent: Monday, August 3, 2026 11:04 AM
To: Cynda Herrick <cherrick@valleycountyid.gov>
Subject: RE: VAR 26-001 Public Hearing Notice

The Boise Regional DEQ Administration has no comments at this time.

Sincerely,

?

?



Carlene Oberg

Administrative Assistant I

Idaho Department of Environmental Quality

1445 North Orchard Street Boise, Idaho 83706

P: (208) 373-0550 | www.deq.idaho.gov

From: Flack,Brandon <brandon.flack@idfg.idaho.gov>
Sent: Wednesday, May 6, 2026 12:29 PM
To: Lori Hunter <lhunter@valleycountyid.gov>
Subject: Re: Public Hearing Notice - VC PZ Commission - May 14, 2026

Hi Lori,

No comments from IDFG on these items.

Thanks,

Brandon Flack

Regional Technical Assistance Manager
Idaho Dept. of Fish and Game
Southwest Region
15950 N. Gate Blvd.
Nampa, ID 83687
Ph: (208) 854-8947



May 7, 2026

Parametrix No. 314-4875-001

Kerstin Dettrich
Valley County Road and Bridge Director
520 South Front Street
P.O. Box 672
Cascade, ID 83611

Re: May 14, 2026, Planning and Zoning Commission Agenda Items

Dear Kerstin:

We have reviewed the items listed on the May 14, 2026, Valley County (VC) Planning and Zoning Commission agenda and have the following comments for your consideration:

Old Business:

1. SUB 25-003 Tamarack Resort Phase 3.7 Buttercup Villas – Final Plat

Not reviewed (No information attached).

2. C.U.P. 24-24 Gold Fork River Ranch Phase 1 – Final Plat

Not reviewed (No information attached).

New Business:

1. VAR 26-001 Walcom Setback Variance

Not reviewed.

2. VAR 26-002 Koskella Shared Driveway Variance

Not reviewed.

3. C.U.P. 26-004 Maxton Short-Term Rental

Not reviewed.

4. SUB 26-004 Orange Sky Subdivision – Preliminary Plat

Detailed site grading and drainage plans and drainage design documentation signed by a licensed PE for the site improvements may be required for review and approval by the Valley County engineer. Additional stormwater resulting from site improvements will need to be retained on site and addressed in the design and calculations. Improvements to offsite drainage features may be required. Appropriate temporary and permanent best management practices (BMPs) and erosion control measures are required to protect adjacent properties, waterways, and roadway ditches.

All proposed driveway connections to public roads within the development shall meet the criteria outlined in the Valley County Minimum Standards for Private/Public Road Design and Construction



A traffic impact study is not required for this 2-lot subdivision; however, a development agreement identifying public road impacts may be required.

5. SUB 26-005 Pine Creek Ranck South Subdivision – Preliminary Plat

Preliminary plans were included with the CUP application, but detailed site grading and drainage plans and drainage design documentation signed by a licensed PE for the site improvements will be required for review and approval by the Valley County engineer. Additional stormwater resulting from site improvements will need to be retained on site and addressed in the design and calculations. Improvements to offsite drainage features may be required. Appropriate temporary and permanent best management practices (BMPs) and erosion control measures are required to protect adjacent properties, waterways, and roadway ditches.

All proposed roads within the development shall meet the criteria outlined in the Valley County Minimum Standards for Private/Public Road Design and Construction. Stockton Boulevard and Pine Creek Ranch Drive are currently shown as public roads within 80-foot rights-of-way. However, standard local roads and minor collectors require only 70 feet of right-of-way. If 80 feet is provided, a minimum of 35 feet should be dedicated on at least one side of the roadway.

A development agreement may not be required at this time but should be when the property is subdivided into lots.

6. C.U.P. 22-34 Shoemaker Donnelly Storage – Extension Request

Extension request. Original CUP conditions and review apply.

7. C.U.P. 26-006 Tree Equipment Storage and Employee Housing

Detailed site grading and drainage plans and drainage design documentation signed by a licensed PE for the site improvements will be required for review and approval by the Valley County engineer. Additional stormwater resulting from site improvements will need to be retained on site and addressed in the design and calculations. Improvements to offsite drainage features may be required. Appropriate temporary and permanent best management practices (BMPs) and erosion control measures are required to protect adjacent properties, waterways, and roadway ditches.

Valley County requires a 100-foot setback from ITD ROW for any permanent structures. Coordinate with ITD for access off SH-55.

8. C.U.P. 18-10 Garcia/Fredriks Multiple Residence – Extension Request

Extension request. Original CUP conditions and review apply.

9. C.U.P. 26-007 Fish and Game Office and Employee Housing

Preliminary plans were included with the CUP application, but detailed site grading and drainage plans and drainage design documentation signed by a licensed PE for the site improvements will be required for review and approval by the Valley County engineer. Additional stormwater resulting from site improvements will need to be retained on site and addressed in the design and calculations. Improvements to offsite drainage features may be required. Appropriate temporary and permanent best management practices (BMPs) and erosion control measures are required to protect adjacent properties, waterways, and roadway ditches.



There appear to be designated wetlands on the property. The applicant will need to delineate existing wetlands to confirm that there are no wetland impacts. If wetlands are impacted, the project may require approval of the U.S. Army Corps of Engineers under the federal Clean Water Act.

Valley County requires a 100-foot setback from ITD ROW for any permanent structures. Coordinate with ITD for access off SH-55.

10. SUB 25-019 Rocky Mountain Storage – Preliminary Plat

Preliminary plans were included with the CUP application, but detailed site grading and drainage plans and drainage design documentation signed by a licensed PE for the site improvements will be required for review and approval by the Valley County engineer. Additional stormwater resulting from site improvements will need to be retained on site and addressed in the design and calculations. Improvements to offsite drainage features may be required. Appropriate temporary and permanent best management practices (BMPs) and erosion control measures are required to protect adjacent properties, waterways, and roadway ditches.

All proposed roads within the development shall meet the criteria outlined in the Valley County Minimum Standards for Private/Public Road Design and Construction.

A Traffic Impact Study and mitigation of visual impacts are required for this project.

Wetland areas are delineated on the plan as "no build" areas. If wetlands are impacted, the project may require approval of the U.S. Army Corps of Engineers under the federal Clean Water Act.

Please contact me if you have any questions.

Sincerely,

Parametrix



Paul Ashton, PE



From: Don 57 Berg <[REDACTED]>
Sent: Saturday, April 25, 2026 5:35 PM
To: Cynda Herrick <cherrick@valleycountyid.gov>
Subject: Comments for VAR 26-001 Walcom Setback Variance meeting on 5/14/2026

Ms Herrick,

I offer the following comments to the requested variance by the Walcoms:

The request to reduce the rear yard setback from 20 feet to 5 feet should be denied as Valley County Ordinance Title 9, Chapter 4 section 3-2 paragraph G states that: "... no setback may be less than seven and one-half feet (7.5')".

I am opposed, however, to ANY setback variances as this would establish a precedent to allow for other adjoining properties within the same block or within Crown Point Subdivision #2 to seek setback variances. The Walcom property, as well as the adjoining properties, exceed ½ acre and are not oddly shaped or have significant topographical issues that warrant the need for a setback variance.

All of the current structures on the Walcom property were constructed by the Walcoms and the choice of the building locations were made by them. There is sufficient area toward the interior of their property to expand the existing home without altering the setbacks. The apparently poor decision the Walcom's made for the home site is not a valid reason to grant a variance.

I have one additional comment:

The "fact sheet" I received in the mail from the Valley County P&Z stated that:

"On July 31, 2027, the property owners received a setback variance to allow construction within of 10-ft from the rear property line (Variance Application V-1-17). This variance was requested due a water line easement and topographic features"

First, I'm guessing the date of 2027 is a typo and is more likely 2017(?).

Second, I was not aware a variance had been granted as I would have opposed this for the reasons stated above. I have owned my property since 1986 and I don't recall receiving a notice of this application.

Third, the water line easement is toward the front of the property (by more than 40 feet from the home) and not the back, so reducing the rear yard setback is illogic. I have the same comment about the topographic features, as they do not warrant changing the setback requirements as ample space toward the interior of the property exists for any additions to the existing home.

And finally, if the rear yard setback has already been reduced to 10 feet by Variance V-1-17, why does this current application state that the change requested is to reduce the setback from 20 feet to 5 feet?

Perhaps you could reconsider the Variance Application V-1-17, as this was based on erroneous information, and restore the 20 foot rear yard setback on this property.

From: Jeff Youtz <[REDACTED]@il.gov>
Sent: Monday, April 27, 2026 7:43 AM
To: Cynda Herrick <cherrick@valleycountyid.gov>
Subject: Comments on Variance 26-001, Walcom Request

Ms. Herrick,

My wife and I have been property owners in Crown Point Subdivision #2 for over 20 years. We oppose the variance request by the Walcoms. I am in complete agreement with my neighbor, who submitted the opposing comments below. In addition, I would encourage your staff to look at all of the structures on that property and confirm that the proper setbacks, permits, and other required laws relative to property improvements were adhered to.

Ms Herrick,

I offer the following comments to the requested variance by the Walcoms:

The request to reduce the rear yard setback from 20 feet to 5 feet should be denied as Valley County Ordinance Title 9, Chapter 4 section 3-2 paragraph G states that: "... no setback may be less than seven and one-half feet (7.5')".

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All of the current structures on the Walcom property were constructed by the Walcoms and the choice of the building locations were made by them. There is sufficient area toward the interior of their property to expand the existing home without altering the setbacks. The apparently poor decision the Walcom's made for the home site is not a valid reason to grant a variance.

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Perhaps you could reconsider the Variance Application V-1-17, as this was based on erroneous information, and restore the 20 foot rear yard setback on this property.

Matthew and Alison Haupt
29 Robbins Drive
PO BOX 419
Cascade, ID 83611

April 27, 2026

To Whom It May Concern,

We, homeowners of 29 Robbins Drive, are not in favor of "VAR 26-001 Walcom Setback Variance" for 31 Robbins Drive. We do not believe the Walcom's have acted in good faith with the existing variance, and we would caution the Planning & Zoning Commission on any further decisions. We recommend Planning & Zoning investigate the property before making any ruling on this application.

Sincerely,

The block contains two handwritten signatures. The first signature, in blue ink, appears to read 'Alison Haupt'. The second signature, in black ink, appears to read 'Matthew Haupt'.

Matt and Alison Haupt

Valley County Planning and Zoning Department

219 N. Main
PO Box 1350
Cascade, ID 83611
www.co.valley.id.us
cherrick@co.valley.id.us
208-382-7115



Variance Application

See Section 9-5H-10 Valley County Code

TO BE COMPLETED BY THE PLANNING AND ZONING DEPARTMENT		☒ Credit Card ☐ Cash ☐ Check # _____
FILE # VAR <u>26-001</u>		FEE \$ <u>250-</u>
ACCEPTED BY _____		DATE <u>3-23-2026</u>
CROSS REFERENCE FILE(S): <u>V-1-17 10' setback variance</u>		
PROPOSED USE: _____		
☐ Shared Driveway	☒ Setback Variance	☐ Other

Applicant Name Michael Clark

Applicant Signature [Signature] Date 23 MARCH 2026

Mailing Address PO Box 985

Cascade, Idaho 83611

Phone [Redacted] Email [Redacted]

Property Parcel Number 2003000150

Subdivision (if applicable) Crown Point Subdivision 2

Parcel Physical Address 31 Robbins Drive

Required Attachments

1. Proposed Site Plan
2. Narrative statement demonstrating:
 - That special conditions and circumstances exist which are not a result from any action of the Applicant, which are peculiar to the land use or structure involved, and which are not applicable to other similar or adjacent lands, uses, or structures.
 - That granting the variance requested will not result in any special privilege otherwise denied to other similar or adjacent lands, uses, and structures.
3. Shared Driveway Variances require a shared driveway maintenance agreement. The shared driveway must be built to the satisfaction of the relevant fire department.

Pursuant to "Idaho Code", Section 67-6516 and Section 9-5H-10 of the Valley County Code, the Planning and Zoning Commission shall be empowered to grant variances relaxing or modifying the requirements of the Valley County Land Use and Development Ordinance with respect to lot size, setbacks, parking space, height of buildings, or other provisions of this Ordinance affecting the size or shape of a structure or the placement of the structure upon lots, and other land use requirements of this ordinance.

A variance may be granted if:

- the applicant can prove undue hardship is a result of characteristics of the site,
- that special conditions and circumstances exist which are not a result from any action of the applicant, which are peculiar to the land use or structure involved, and which are not applicable to other similar or adjacent lands, uses, or structures, and
- that granting the variance requested will not result in any special privilege otherwise denied to other similar or adjacent lands, uses, and structures.

In the case of the Planned Unit Development (PUD) involving variations from the requirements of this Ordinance, it shall not be necessary for the applicant to file a separate application for such variances.

Procedure:

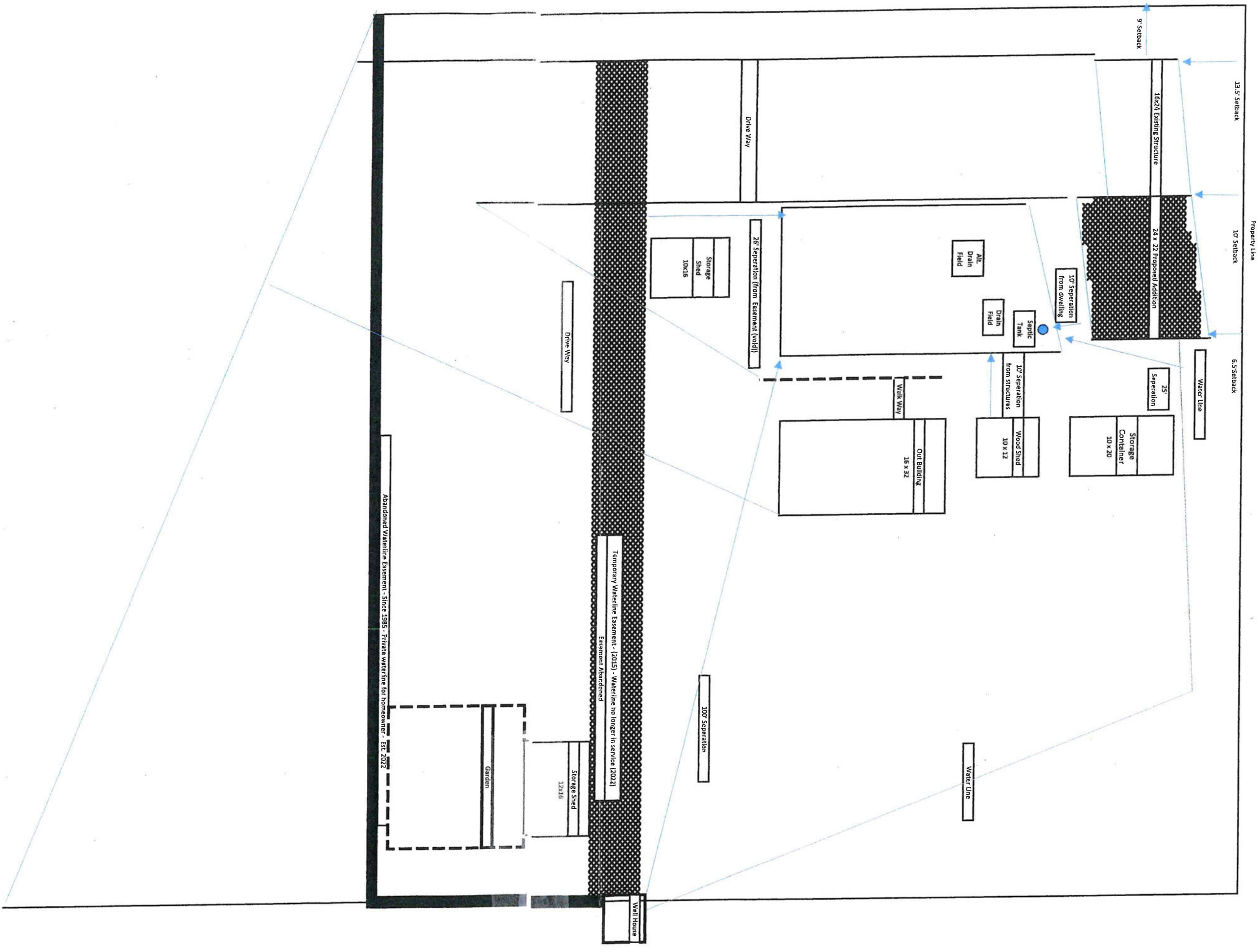
- When an application has been submitted, it will be reviewed in order to determine compliance with application requirements. A hearing date will be scheduled only after an application has been accepted as complete or if applicant requests the hearing in writing.
- The fee set by resolution of the Board of County Commissioners shall accompany the variance application.
- An application for a variance shall be reviewed by the Administrator and the Planning & Zoning Commission in accordance with Valley County Code Section 9-5H-11. The Administrator shall post notice of the public hearing to the applicant, adjoining property owners, and the public in accordance with Section 9-5H-6B.
- A variance may be granted if the Planning & Zoning Commission makes specific findings of fact based directly on the particular evidence in the application which support conclusions that the above conditions have been met by the applicant.
- Within ten (10) days after a decision has been rendered, the Administrator or staff shall provide the applicant with written notice of the action by regular mail if so requested by the applicant.
- The Planning & Zoning Commission's decision shall be a recommendation to the Board of County Commissioners.
- The County Clerk, upon receipt of a recommendation from the Commission, shall set the item on the agenda of the Board at the earliest possible regular Board meeting.
- The Board shall consider and act upon the Commission's recommendations by following the procedures outlined in Valley County Code Section 9-5H-11.
- A permit for the variance may be issued by the Administrator or staff after approval of the Board of County Commissioners.
- Subject to Idaho Statute 55:22 Underground Facilities Damage Prevention.

In 2017, we applied and were granted a relaxed setback to the rear of our property (31 Robbins Drive) from 20' to 10'. We are asking for it to be amended to 5' for the following reasons:

- For us to place an addition to the current structure we need to be 5 feet away from the septic tank and but cannot conform to that and keep the current orientation of the existing structure.
 - We received the 10' setback due to two waterlines/easements across our property and the limited room for a septic system.
 - The current structure is within the setback parameters, but due to the trajectory it will inch closer to the property line the farther we go out, when we build the addition. It is not possible to build any addition without addition room to the rear of our property.
 - Currently, the south side of our property our neighbors have a garage that is within 4' of our side property (their rear setback), a well house over our property line, and a deck within 5 feet of our side property. On the north side our neighbors have two woodsheds on the property line as well as a storage shed (which we would like at least 5 feet away from the side property line, so we have the room to properly maintain a short retaining wall as well as get the property line properly marked unencumbered).
 - Our rear property line backs up to state land and will have no adverse impact on any of our neighbors.

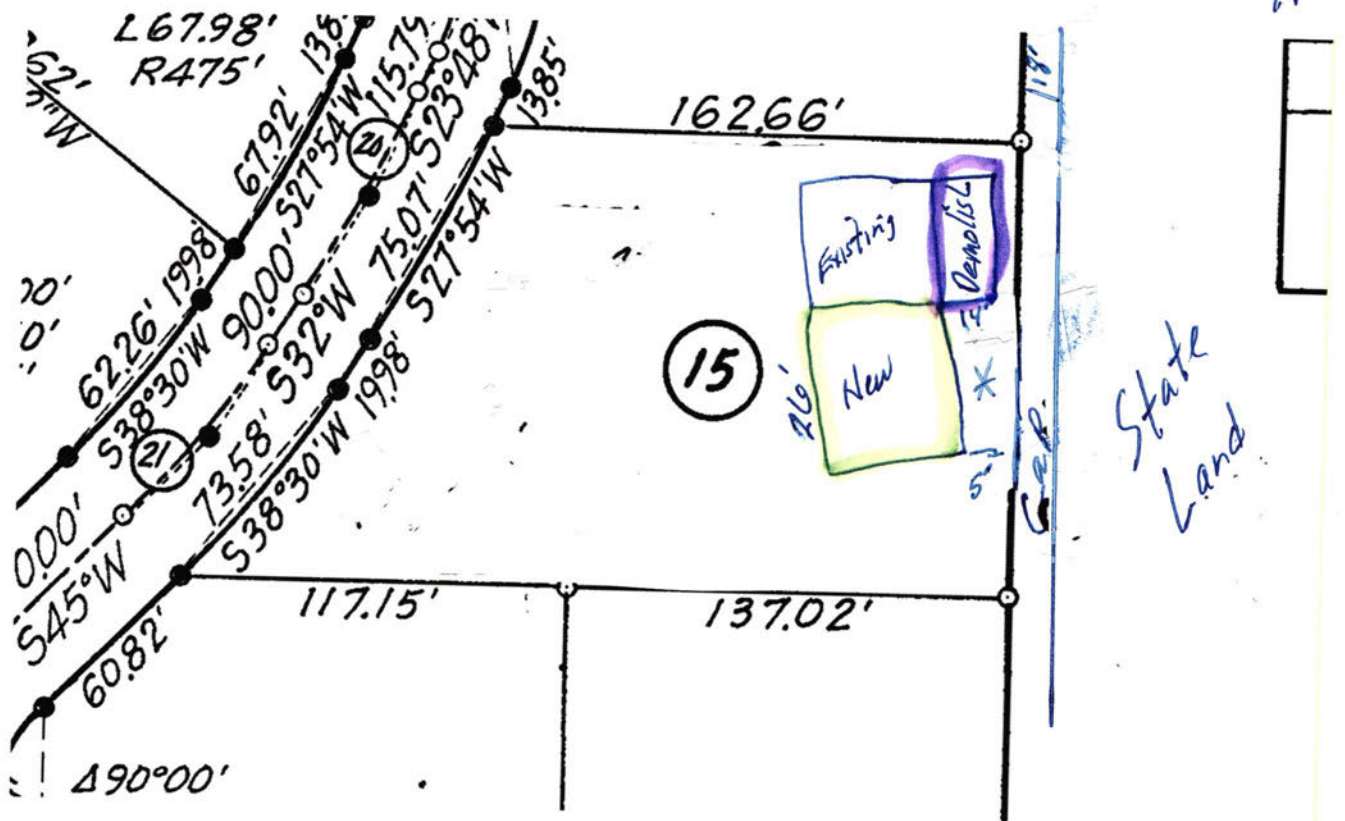
Topographic Reason: Current Septic System WAS placed in an area free of granite. The remainder of the lot is too steep to build. Due to these reasons and the above mentioned a Variance is requested. mu

Michael G. Walcom
Dena J. Walcom



VAR 26-001 Walcolm
 5/11/2026
 Addendum to Staff Report.

Setback
 Variance.



Will be
 Demolished
 1) enclosed porch
 2) deck on south

* New Section will
 vary due to
 angle of structure
 with E property
 line. Roughly
 14' down to minimum
 of 5'.

Attached picture is from south
 looking north. Where enclosed porch
 changes roof slope ~ it will be demolished.
 New build will come 26' to south
 on slight angle due to existing orientation.

From: Michael Walcom [REDACTED]
Sent: Sunday, June 21, 2026 9:57 PM
To: Cynda Herrick <cherrick@valleycountyid.gov>
Subject: VAR 26-001 Walcom Setback Variance

Ms. Herrick:

We have couple of items that need to be addressed prior to July's hearing.

1) We are asking that Chairman Roberts recuse himself due to a possible professional relationship with one or more of the respondents opposed to our variance request.

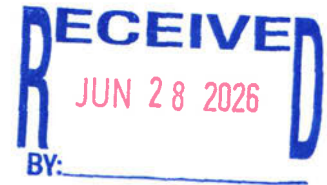
a. We are making this request for recusal well in advance to ensure a quorum is present to hear our application.

2) We are also requesting that all information, photos, objections that do not specifically address the variance be suppressed during the public hearing as it is beyond the scope of the request and has no relevance to the criteria of granting or denying a variance.

Please make this email as matter of public record in our application packet.

Michael and Dena Walcom

Var 26-001 Walcom



Property History:

- In 1985 the Crownpoint Domestic Water Association was established, creating a shared well between 8 properties. Not limited to but to include waterline easements as well as waterlines.
 - Issue 1: The Association never installed the waterline at the front of the property but maintained one existing (Abandoned Waterline #1). Our waterline (31 Robbins) was installed to the rear of the property as we were unsure behind the reasoning concerning the two easements at the front of the property.
- In 1990 a "temporary easement" (**Enclosure 1**) was given to the owner of 29 Robbins Drive since they were unable to locate the waterline that was referred to in the Articles of Association. This waterline was not given to the property as no parcel number, address, legal description or owners name was included in the easement, nor was it recorded with the property deeds making it an easement in gross and non-transferable upon sale of the property (Abandoned Waterline #2).
- In 2015 the original owner of the property sold the home and the new owner continued to use the temporary waterline. Upon sale of the home the existing easement (Waterline #2) became invalid.
- In July 2017 the variance request to reduce the 20-foot setback to 10-feet was requested and in August the septic system was installed. This was done prior to any structures being built.
- In 2019 the home was sold again to the current owners (Haupt's), and they continued to use the temporary/invalid waterline.
- In 2022 the waterline was exposed to about a foot outside the easement. There were issues with the location of the easement as it was vague at best. The solution was to move the waterline to the existing easement controlled by the Association. Haupt's requested that we give them an easement for the newly installed waterline and it was made clear to them that their easement was contained in the Articles of Association (**Enclosure 2**).
- In 2023 the Association voted 7 – 0 to abandon all waterlines exiting the pump house and let the neighbors work it out between themselves. Haupt's were one of the seven that voted for the abandonment, we were not present. This effectively abandoned the waterline servicing 29 Robbins Drive. Haupt's demanded we give

them an easement and when their demands were not met hostilities towards us ensued (**Enclosure 2.1**).

- If the waterline were installed as per the Articles of Association the variance would not be necessary. Both Don Berg and Jeff Youtz are part of the Association and have sent me numerous e-mails advising/bullying us to give Haupt's an easement, creating further hostilities (**Enclosure 3**).
 - There is a current waterline crossing the county road (Robbins Drive) without any encroachment permits which Mr. Berg and Mr. Youtz failed to disclose in their objection to the variance request (**Enclosure 3.1**)
- In 2024 Haupt's drilled their own Well and in May 2026 Haupt's quit claimed their share of the shared well to the Association.

Motion to suppress unsubstantiated claims:

- There have been claims by the Haupt's that we acted in "bad faith" regarding the first variance, which is patently false and no documentation has been provided to support this accusation. Standard land-use rules require objections to be backed by evidence (**Enclosure 4**).
- There have been claims by Don Berg that the first variance was granted due to "erroneous information" but nothing to support this claim was introduced as fact. Standard land-use rules require objections to be backed by evidence. Baseless accusations and demands to investigate unrelated issues are irrelevant, immaterial and inadmissible (**Enclosure 5**).
- There have been claims by Jeff Youtz that echo's Mr. Bergs "erroneous information" statement, yet Mr. Youtz provided nothing to support his claim. Mr. Youtz invited you on a fishing expedition to look for anything not in compliance but provided nothing substantial as to what you might be looking for. Standard land-use rules require objections to be backed by evidence. Baseless accusations and demands to investigate unrelated issues are irrelevant, immaterial and inadmissible (**Enclosure 6**).

Motion to suppress code enforcement photos (Enclosure 7):

- None of the statements by the afore-mentioned respondents have anything to do with this variance hearing, nor is it within the scope of this hearing to focus on code violations or enforcement issues.
 - Code enforcement actions fall under the purview of zoning administrators and code enforcement officers, not the Planning and Zoning Commission during a variance hearing.

- Code enforcement officers took pictures of unrelated, separate violations (unpermitted work, retaining wall, deck) which may exceed the legal scope of the variance inspection.
 - **Idaho Code 67-6516:** A variance relates to dimensional standards, limiting the inspector to site characteristics to determine if they cause an “undue hardship” and not code compliance
 - Cannot use a variance hearing as a backdoor to audit unrelated structures.
 - Photos of unrelated infractions are prejudicial and irrelevant to the specific variance.
 - Expanding the hearing to investigate detached sheds, outbuildings, or prior unpermitted work that has no bearing on the specific variance request exceeds the scope of the application.
- **Detrimental to neighboring properties**
 - Rear property line is to the East and backed up to a “gap” of 18 feet of land. The property remains undeveloped and the variance request to 5 feet will not affect the “gap” property. Furthermore the 5 feet requested would only apply to the very end of the addition as the building would range from the 10-foot variance already in place to the 5 feet requested at the very end of the addition.
 - The variance will not create issues for fire safety, utility access, property maintenance, snow storage or create privacy concerns as these issues are not applicable to the neighboring property that would be affected.
 - Neighboring properties to the North and South have buildings encroaching on our property. To include a permanent structure (Association Pump house) built over the property line (**Enclosures 8 and 8.1**).
 - Neighboring properties to the North and South would not be affected by the reduction in the rear setback request.
 - **Unique circumstances of Lot/Parcel – Plot Map (Enclosure 9)**
 - Excessive granite on site combined with extreme slope
 - Two waterline easements at the front half of the property. First 80 feet of the property is unusable for building or installing a septic system due to separation distances from the septic system and waterline(s).
 - Septic Tank and drain field measure an additional 60 feet leaving approximately 36 feet between the septic tank and property line. The

variance would allow for septic separation distances required by Central District Health.

- Requirement that foundations have a 5-foot separation from septic tank combined with current variance of a 10-foot setback from the rear property line leaves 21 feet for expanding the current structure. A 5-foot setback or a 0-foot setback would allow the addition to be expanded to 22 to 24 feet in width.

Precedent

- V-5-24 Guth Setback Variance - 14 November 2024
 - Relaxed rear setback from 7.5 feet to 0 feet
 - Current deck over the property line
 - 8 inches over into Bureau of Reclamation land
 - Owner unaware of deck encroaching on Bureau of Reclamation land
 - *"Only reason why we got a letter from Bureau of Reclamation was because they were noticed about the variance application. If it was a significant encroachment they were monitoring, they would have said something years ago."* – Roberts
 - *As long as they stay on their property and do not encroach on the Bureau of Reclamation property, I don't know if I have a problem with that."* – Roberts
 - Topographical issues to support variance
 - Cannot change grade
 - Elderly parents unable to navigate stairs
 - Large mature trees on other side of the property
 - No code enforcement photos
 - Unanimous approval of motion

DOMESTIC WATER LINE EASEMENT

A specific use easement is hereby granted for the purpose of a domestic water line across Lot 15, Crown Point Subdivision #2, Valley County, State of Idaho,

Described as follows: Point of beginning is 33 feet West along Lot Line of Lot #15 and Lot #16 from the Northeast Corner of Lot #16, thence in a Northeasterly direction across Lot #15 to intersect with the Lot Line of #15 and #14 at a point 55 feet East of the Southwest Corner of Lot #14. The width of this Easement is 10 feet.

Antone J. Chacartequi
Antone J. Chacartequi

Sharon Chacartequi
Sharon Chacartequi

Ronald R. Robertson
Ronald R. Robertson

Susan Ann Robertson
Susan Ann Robertson

Dated: 5/24/90

NOTARY SEAL

Oregon
State of Idaho
County of Malheur

ss. On the 24 day of May A.D. 1990

personally appeared before me Ronald R. Robertson & Susan Ann
Robertson

the signer(s) of the within instrument, who duly acknowledged to me that he executed the same.

[Signature]
NOTARY PUBLIC

Residing at: Ontario Oregon

My Commission expires: 5-10-94

NOTARY SEAL

State of Idaho
County of Camden

ss. On the 24th day of May A.D. 1990

personally appeared before me ANTONE J. & SHARON CHACARTEQUI

the signer(s) of the within instrument, who duly acknowledged to me that he executed the same.

[Signature]
NOTARY PUBLIC

Residing at: Nampa Idaho

My Commission expires: 2/11/91

----- Forwarded Message -----

From: Michael Walcom <[REDACTED]>
To: Matthew haupt <[REDACTED]>
Sent: Tuesday, September 27, 2022 at 11:48:15 AM MDT
Subject: Re: New Waterline Costs on Lot 14 & Capping Older Waterline at Pump House

The easement in place is already recorded with the Association Articles. There will not be a new easement. We will not be paying for any other costs associated with the waterline.

On Tuesday, September 27, 2022, 10:43:49 AM MDT, Matthew haupt <[REDACTED]> wrote:

Copy, sorry, missed the attachments/photos of the invoices.

Matt Haupt
[REDACTED] haupt, [REDACTED]
[REDACTED]

From: Michael Walcom <[REDACTED]>
Sent: Tuesday, September 27, 2022 10:34:37 AM
To: Matthew haupt <[REDACTED] haupt, [REDACTED]>
Subject: Re: New Waterline Costs on Lot 14 & Capping Older Waterline at Pump House

No attachments...

On Tuesday, September 27, 2022, 10:14:25 AM MDT, Matthew haupt <[REDACTED]> wrote:

Hello Mike and Dena,

We will cap the vacated waterline at the pump house once the new easement paperwork has been signed and recorded with the Valley County. In the meantime, I will go up to the pump house and mark the line so others don't accidentally turn it on.

Please see attached receipt/invoice for several different costs associated with the waterline on lot 14: a new waterline(\$2,500.00), from the water shut off valve near the property boundary to lot 14, construction of a new waterline trench (\$300.00, and back fill of dirt on along the new waterline (\$150.00).

Would you like to spilt the costs listed above or pay the full amount?

What are the latest developments with a new documented easement, from the pump house to the new shut-off valve near the property boundary of Lot 14&15?

I would like to have a new easement on record and signed. I am willing to help out where needed. Please provide costs associated with a new documented easement if so.

Thanks for your time and consideration,
Matt & Alison.

██████████@██████████.com
██████████-██████████-██████████

----- Forwarded Message -----

From: Michael Walcom <[REDACTED]@[REDACTED]>

To: Matthew Haupt <[REDACTED]@[REDACTED]>; Alison Haupt <[REDACTED]@[REDACTED]>

Sent: Saturday, November 25, 2023 at 11:23:44 AM MST

Subject: Re: Waterline Easement

Matt and Alison,

Over the past 18 months you have referenced on several occasions that you had a valid easement for a waterline specific to your property and signed by the property owners of both parcels.

What you provided me does not constitute a valid easement. There is nothing contained in the paperwork that indicates an easement was ever given to a specific person or a specific piece of property. There is no name or legal description to show who it was given to or to what property it was linked to. It was never signed by the grantee and was never recorded with any of the property deeds. On its face it looks like it's an easement in gross and non transferrable.

At one point we notified you that the waterline was recalled and the location of the line was in question. Utilizing an easement that the association held appeared to be the logical fix.

Now it has come to our attention that the association was not a legal entity, possessed no easement and forfeited any rights of claim with your consent.

Without clear documentation that you possessed a valid easement our position regarding allowing you to obtain a new easement has shifted. Do you have anything else that can confirm you had a valid enforceable easement? If so, please forward it too me.

If not, there will not be any easements on our property and you will need to find an alternative location for a waterline to your residence.

At this time October 1, 2024 remains a firm date.

Regrettably,

Mike and Dena

On Monday, November 20, 2023 at 07:56:15 PM MST, Matthew haupt <[REDACTED]> wrote:

Hello,

Could you please share with us the terms or conditions under which we could begin the process to attain an easement? What process would you like us to use to make this happen?

Thanks for your time and consideration,

Matt & Alison

From: Michael Walcom <[REDACTED]>

Sent: Wednesday, November 15, 2023 13:23

To: Matthew Haupt <[REDACTED]>; Alison Haupt <[REDACTED]>

Subject: Re: Waterline Easement

Matt and Alison,

The community line was installed to reflect the articles so it would be covered by the association. The association owned the easement and would be responsible for surveys, insurance, legal descriptions etc... Single lines exiting the pumphouse are not covered by the association articles.

After the line was installed we learned that no legal entity existed and unless that was corrected no easements existed either.

Easements in general are not transferrable. When an easement is abandoned it is gone and cannot be reestablished without the issuance of a new easement.

We are open to discussing the option for you to obtain an easement independent of the association.

Mike and Dena

On Tuesday, November 14, 2023 at 07:05:35 AM MST, Matthew haupt <[REDACTED]> wrote:

Thank you for taking your time to explain your position regarding the water association. We understand your view point and appreciate the time you have taken to explain your reasoning.

Separate from the association, an easement was drawn up and signed between property owners (Domestic Water Line Easement 1990) that

allows for the water line is to 29 Robbins Drive (Lot 14). Attached is the Domestic Water Line easement from 1990 and recorded with Valley County and our lender. At your request, we moved it to the location you suggested and agreed to you tapping into the line for shared (community) water access because we wanted to resolve the water issue to the best of our abilities and in a way that was pleasing to you. In our discussion regarding the water line, you said we would "transfer" the existing easement between property owners to the new location of the line.

Now your legal view of the association in its entirety has changed and makes the easement unenforceable. What we would like to know is if you would be willing to consider transferring the old easement to the new water line location?

We understand your frustration with the association. All we have tried to do during this process is comply with your request and maintain a civil, polite, helpful property owner relationship with your family. What we would ask is that you consider our request to handle this water line outside of the association as the original property owners did.

Thank you for your time and consideration
Matt & Alison Haupt

From: Michael Walcom <[REDACTED]@[REDACTED]>

Sent: Sunday, November 12, 2023 7:22 PM

To: Matthew Haupt <[REDACTED]@[REDACTED]>; Alison Haupt <[REDACTED]@[REDACTED]>

Subject: Waterline Easement

The "association" is not a legal entity and any articles amended or otherwise are unenforceable and invalid, to include the easements contained in the articles.

Dena and I have given the "association" a year to correct this issue by forming a legal entity, registering it with the state and complying with all the terms and conditions of registering an easement.

To date this has not been done and the "association" remains as nothing more than a water club with no legal standing.

Furthermore, by a vote of seven to zero (with us absent from the meeting and the vote) amended articles were approved.

The "association" can not and will not fulfill any of the obligations required of them to include properly registering an easement, obtaining insurance on well house property and attached waterlines and keeping financial instruments separate from personal accounts. Therefore, Dena and I have chosen to no longer be part of this

unacceptable practice.

By approving the amended articles your ability to receive water through the waterline located on our property was also severed as the neighbors entered into a contract to disassociate themselves from all easements contained in the articles.

The waterline was installed as a community line for the "association" and has since been abandoned through failure to take proper action in establishing a legal entity and voting to exclude any and all waterlines exiting the pumphouse from the "association".

At this time there are no easements.

R,

Mike and Dena

----- Forwarded Message -----

From: Donald Berg <don57berg@gmail.com>

To: Michael Walcom <[REDACTED]@[REDACTED].com>

Cc: Tina Youtz <[REDACTED]@[REDACTED].com>; Alison Haupt <[REDACTED]@[REDACTED].com>; Deanna Forester <[REDACTED]@[REDACTED].com>; Anita Nichols <[REDACTED]@[REDACTED].com>; Jeff Youtz <[REDACTED]@[REDACTED].com>

Sent: Wednesday, July 13, 2022 at 12:20:41 PM MDT

Subject: Re: Amended Articles of Association

Hi Mike,

I am aware that the proposed amendment to the Articles of Association clarifies the responsibility for water lines to each individual property. The original Articles did not specify that the Association was responsible for the "water mains", but only that it was agreed that these lines be "of high quality city type PVC pipe" and of specific sizes (Article V, Section 2). I can find no evidence that the Association has ever paid for any water line installation or repairs, and the existing lines to lots 14 (Haupt) and lot 15 (Walcom) were paid for by the respective property owners, which further supports the clarification in the proposed amendment.

Prior to the situation you raised during the recent Association annual meeting, the water line to lot 14 (Haupt) was known to be properly installed, located, and functioning for several years. I believe you intentionally excluded and/or misrepresented key facts in your description of the water line situation at the annual meeting in order to obtain everyone's agreement that the Association should cover the costs to relocate this line. A recent survey shows that the water line from the well to lot 14 (Haupt) was properly installed within a separate easement that was established by the prior owners of lots 14 and 15 (Walcom). It is now clear that you knew of this easement and chose to violate the terms and conditions by excavating into the hillside and exposing and/or disturbing the water line. The resolution and any costs to cure your actions are issues between you and the Haupts and do not involve the Association.

You have also raised issues concerning the property lines and location of the well, the need to pay you rent for some portion of the well that may be on your property, along with the need for insurance, land surveys, attorney services, establishment of a separate Association entity, and other matters. None of these have much, if any merit in my opinion, and only serve to raise concerns among the members about your motivations and intent.

If you wish to restore the "good neighbor" attitude among the members, may I suggest that you do the following:

- 1) Comply with the easements, setback requirements, and restrictions on your

property and those related to the well location.

2) Pay Tina directly and promptly for the past due pump replacement costs of \$320 and the \$60 annual assessment.

3) Have a little trust in your neighbors that we are reasonable and share a common understanding that does not need surveys, attorneys, or formality to do right by each other.

On Tue, Jul 12, 2022 at 7:19 PM Michael Walcom <[REDACTED]> wrote:

Thanks for the clarity... As for everyone else feel free to reach out and let me know if you agree or disagree with Tina and Jeff's assessment.

On Tuesday, July 12, 2022, 05:05:07 PM MDT, Tina Youtz <[REDACTED]> wrote:

Mike,

Tina and I feel that the costs associated with moving the Haupts waterline is your responsibility. You offered to cover those costs when the Haupts first purchased their property, and that was the right thing to do. At the previous meeting, the fact that the Haupts had a valid easement across your property for their waterline was not adequately explained. This situation is one of the reasons the association is looking at changing the articles to make it clear that waterlines outside the well house are the responsibility of the individual owner.

On Jul 12, 2022, at 7:31 AM, Michael Walcom <[REDACTED]> wrote:

Is the association still paying for the new line servicing lots 14 and 15?
Need some clarification since the revised bylaws make all the lines outside the pumphouse a personal problem. Need everyone to respond.

Thanks!

On Sunday, June 26, 2022, 03:03:52 PM MDT, Don Berg <[REDACTED]> wrote:

Hello all,

Connie and I have worked up the attached amendment to the original Articles which include most of the items presented by Tina along with information discussed at the last meeting and other necessary changes we see are needed. I have also included a preliminary schedule of the well assets with the details I had or gleaned from the invoice for the pump replacement project last August. Please know that a couple of the details in this schedule are unknown and should be confirmed by others.

We also want to express our sincere thanks to Tina for her efforts to coordinate this process and her willingness to donate her time to our Association – we truly appreciate all that she does for us.

Sincerely

Don and Connie Berg

Sent from Mail for Windows

From: [Tina Youtz](#)

Sent: Sunday, June 19, 2022 12:46 PM

To: [Donald Berg](#); [REDACTED]; [Alison Haupt](#); [REDACTED]; [Michael Walcom](#); [Deanna Forester](#); [REDACTED]; [Anita Nichols](#)

Cc: [Tina Youtz](#)

Subject: Amended Articles of Association

Hello everyone,

Attached is a first draft of amendments to the Articles of Association. The changes reflect changes I believe we agreed on at our meeting. I have underlined all of the new provisions I have added. There is a section under Article V, which I have put in italics, and which I don't think needs to be included any longer in the articles, unless we just want to keep it because it appears in the original.

I would appreciate receiving feedback from everyone with their suggestions, corrections, changes, typos, etc. as soon as possible, so that I can make any necessary changes, collect signatures and record these with the Valley County Recorder this summer. Keep in mind that I do consider this a first draft, and anticipate that changes will need to be made. We need the agreement of at least six Members to approve the amended articles. Please use reply to all with all of your comments, changes and corrections.

----- Forwarded Message -----

From: Michael Walcom [REDACTED]
To: Lori Hunter <lhunter@valleycountyid.gov>
Sent: Saturday, June 27, 2026 at 11:34:54 AM MDT
Subject: Re: Records request

Just out of curiosity if there is no record of a permit for

On Thursday, May 14, 2026 at 06:52:42 AM MDT, Kerstin Dettrich <kdettrich@valleycountyid.gov> wrote:

Marion,

We have no records for this.

Kerstin Dettrich
Road & Bridge Director
Valley County Idaho
Office: (208) 382-7195
Cell: (208) 315-0635
Email: kdettrich@valleycountyid.gov

From: Marion Inwards <minwards@valleycountyid.gov>
Sent: Tuesday, May 12, 2026 12:53:45 PM
To: Kerstin Dettrich <KDettrich@valleycountyid.gov>; [REDACTED]
[REDACTED]
Subject: Fw: Records request

Hi Kerstin-

Would you have any information about Robbins Drive? Michael sent a request to the clerks office.
Thank you for your help!

Marion



Marion R Inwards
Deputy Clerk

Valley County Idaho
Direct: (208) 382-7190
Email: minwards@valleycountyid.gov
PO Box 1350 | 219 N Main St
Cascade, ID 83611

New to Valley County! You may now search any publicly recorded documents on our website: [Valley County Public Records](#)

From: Michael Walcom <[REDACTED]@[REDACTED]>
Sent: Monday, May 11, 2026 12:39 PM
To: Valley County Clerk <ValleyClerk@valleycountyid.gov>
Cc: [REDACTED]
Subject: Records request

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Requesting any information regarding a waterline being constructed across Robbins Drive (Robins Drive) located off of Crown Point, Valley County, Idaho. Time line would be between 1960 and 1990. Looking for permits, easements, or any relevant information from the roads department.

Thank you.

**REQUEST TO EXAMINE/COPY
PUBLIC RECORDS**

TO: Valley County Clerk
Doug Miller
Phone: (208) 382-7102
Fax: (208) 382-7107

DATE: 11 May 2026 _____

I hereby request, pursuant to Idaho Code § 74-102, to examine and/or copy the following public records:

Request for any and all permits, easements and or utilities concerning any waterline(s) crossing Robbins Drive, Valley County Idaho from 1960 to 1990 - Records can be scanned and sent electronically to michael.walcom@yahoo.com

☐ These records specifically pertain to myself.

☐ I wish to merely examine these records.

☒ I wish copies of these records.

Printed Name: **Michael G. Walcom**

Mailing Address: PO Box 985 Cascade, Idaho 83611

Telephone Number: (208) 582-2154

Signature:

Michael G. Walcom

I acknowledge by my signature that the records sought by this request will not be used for mailing list or telephone list as set forth in Idaho Code §74-120

REQUEST TO EXAMINE/COPY PUBLIC RECORDS

RECORD OF SURVEY

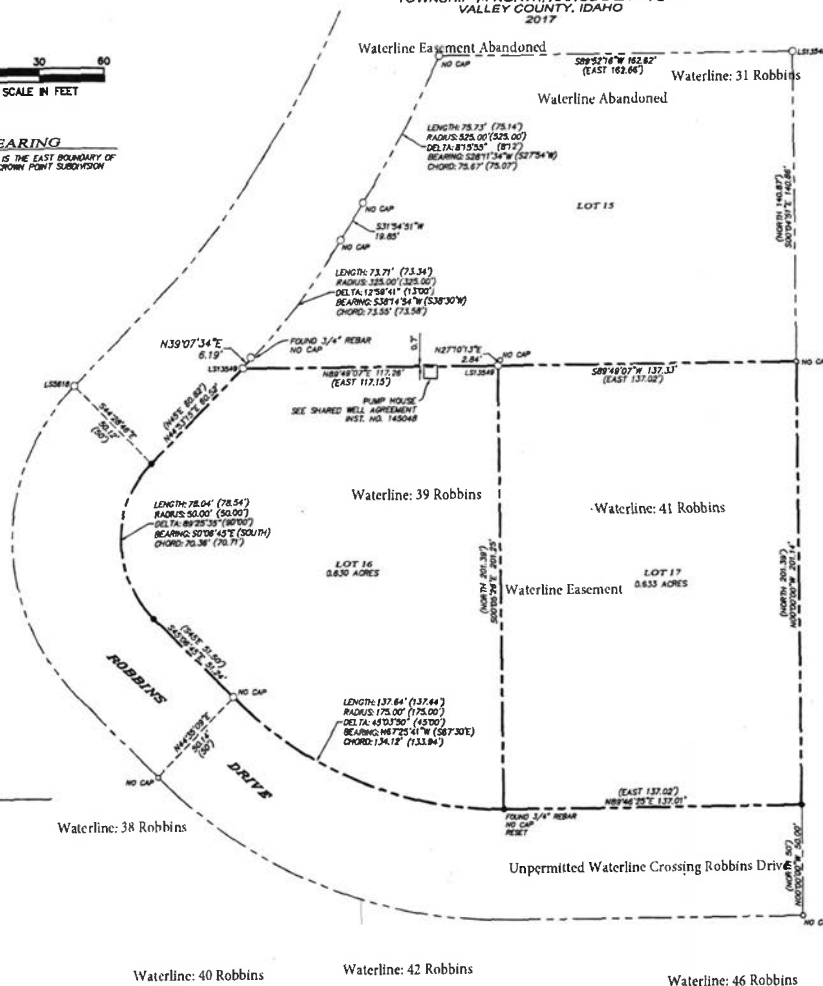
FOR
ALICE VAN DORN
LOTS 16 & 17
CROWN POINT SUBDIVISION NO. 2
SECTION 23
TOWNSHIP 14 NORTH, RANGE 2 EAST, B.M.
VALLEY COUNTY, IDAHO
2017

Instrument # 410867
VALLEY COUNTY, CASCADE, IDAHO
12-29-2017 02:59:28 PM No. of Pages: 1
Recorded for: DUNN
DOUGLAS A. MILLER Fee: \$.00
Ex-Officio Recorder Deputy



BASIS OF BEARING

BASIS OF BEARING
THE BASIS OF BEARING IS THE EAST BOUNDARY OF
LOT 17, SEE PLAT OF CROWN POINT SUBDIVISION



LEGEND

- _____ PARCEL BOUNDARY LINE
 - - - - - EXISTING LOT LINE
 • SET 5/8" X 30" IRON PIN WITH PLASTIC CAP
 L314217
 ○ FOUND 5/8" REBAR
 ○ FOUND 1/2" REBAR
 (WEST 100.00') RECORD DATA (SEE REFERENCES)

CERTIFICATE OF SURVEYOR

I, DANIEL T. DUNN, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS MAP HAS BEEN PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION, AND THAT THIS MAP IS AN ACCURATE REPRESENTATION OF SAID SURVEY, AND IS IN CONFORMITY WITH THE CURRENT LAWS OF THE STATE OF IDAHO PERTAINING TO PLATS AND SURVEYS.



REFERENCES

PLAT OF CROWN POINT SUBDIVISION NO. 2
BOOK 2, PAGE 29.

SHEET 1 OF 1

25 COYOTE TRAIL
CASCADE, ID 83611
PHONE: (208) 634-6896
WWW.DUNNLANDSURVEYS.COM



dunn
LAND SURVEYS, INC.

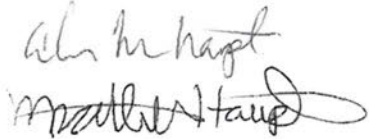
Matthew and Alison Haupt
29 Robbins Drive
PO BOX 419
Cascade, ID 83611

April 27, 2026

To Whom It May Concern,

We, homeowners of 29 Robbins Drive, are not in favor of "VAR 26-001 Walcom Setback Variance" for 31 Robbins Drive. We do not believe the Walcom's have acted in good faith with the existing variance, and we would caution the Planning & Zoning Commission on any further decisions. We recommend Planning & Zoning investigate the property before making any ruling on this application.

Sincerely,

Handwritten signatures of Alison Haupt and Matthew Haupt. The signature of Alison Haupt is written above the signature of Matthew Haupt.

Matt and Alison Haupt

From: Don 57 Berg [REDACTED]
Sent: Saturday, April 25, 2026 5:35 PM
To: Cynda Herrick <cherrick@valleycountyid.gov>
Subject: Comments for VAR 26-001 Walcom Setback Variance meeting on 5/14/2026

Ms Herrick,

I offer the following comments to the requested variance by the Walcoms:

The request to reduce the rear yard setback from 20 feet to 5 feet should be denied as Valley County Ordinance Title 9, Chapter 4 section 3-2 paragraph G states that: "... no setback may be less than seven and one-half feet (7.5')".

I am opposed, however, to ANY setback variances as this would establish a precedent to allow for other adjoining properties within the same block or within Crown Point Subdivision #2 to seek setback variances. The Walcom property, as well as the adjoining properties, exceed ½ acre and are not oddly shaped or have significant topographical issues that warrant the need for a setback variance.

All of the current structures on the Walcom property were constructed by the Walcoms and the choice of the building locations were made by them. There is sufficient area toward the interior of their property to expand the existing home without altering the setbacks. The apparently poor decision the Walcom's made for the home site is not a valid reason to grant a variance.

I have one additional comment:

The "fact sheet" I received in the mail from the Valley County P&Z stated that:

"On July 31, 2027, the property owners received a setback variance to allow construction within of 10-ft from the rear property line (Variance Application V-1-17). This variance was requested due a water line easement and topographic features"

First, I'm guessing the date of 2027 is a typo and is more likely 2017(?).

Second, I was not aware a variance had been granted as I would have opposed this for the reasons stated above. I have owned my property since 1986 and I don't recall receiving a notice of this application.

Third, the water line easement is toward the front of the property (by more than 40 feet from the home) and not the back, so reducing the rear yard setback is illogic. I have the same comment about the topographic features, as they do not warrant changing the setback requirements as ample space toward the interior of the property exists for any additions to the existing home.

And finally, if the rear yard setback has already been reduced to 10 feet by Variance V-1-17, why does this current application state that the change requested is to reduce the setback from 20 feet to 5 feet?

Perhaps you could reconsider the Variance Application V-1-17, as this was based on erroneous information, and restore the 20 foot rear yard setback on this property.

From: Jeff Youtz [REDACTED]
Sent: Monday, April 27, 2026 7:43 AM
To: Cynda Herrick <cherrick@valleycountyid.gov>
Subject: Comments on Variance 26-001, Walcom Request

Ms. Herrick,

My wife and I have been property owners in Crown Point Subdivision #2 for over 20 years. We oppose the variance request by the Walcoms. I am in complete agreement with my neighbor, who submitted the opposing comments below. In addition, I would encourage your staff to look at all of the structures on that property and confirm that the proper setbacks, permits, and other required laws relative to property improvements were adhered to.

----- Forwarded Message -----

From: Michael Walcom <[REDACTED]>
To: Cynda Herrick <cherrick@valleycountyid.gov>
Sent: Sunday, June 21, 2026 at 09:57:10 PM MDT
Subject: VAR 26-001 Walcom Setback Variance

Ms. Herrick:

We have couple of items that need to be addressed prior to July's hearing.

1) We are asking that Chairman Roberts recuse himself due to a possible professional relationship with one or more of the respondents opposed to our variance request.

a. We are making this request for recusal well in advance to ensure a quorum is present to hear our application.

2) We are also requesting that all information, photos, objections that do not specifically address the variance be suppressed during the public hearing as it is beyond the scope of the request and has no relevance to the criteria of granting or denying a variance.

Please make this email as matter of public record in our application packet.

Michael and Dena Walcom







Unpermitted Addition



House

Property Line

31 Robbins

29 Robbins

View from the front of the property





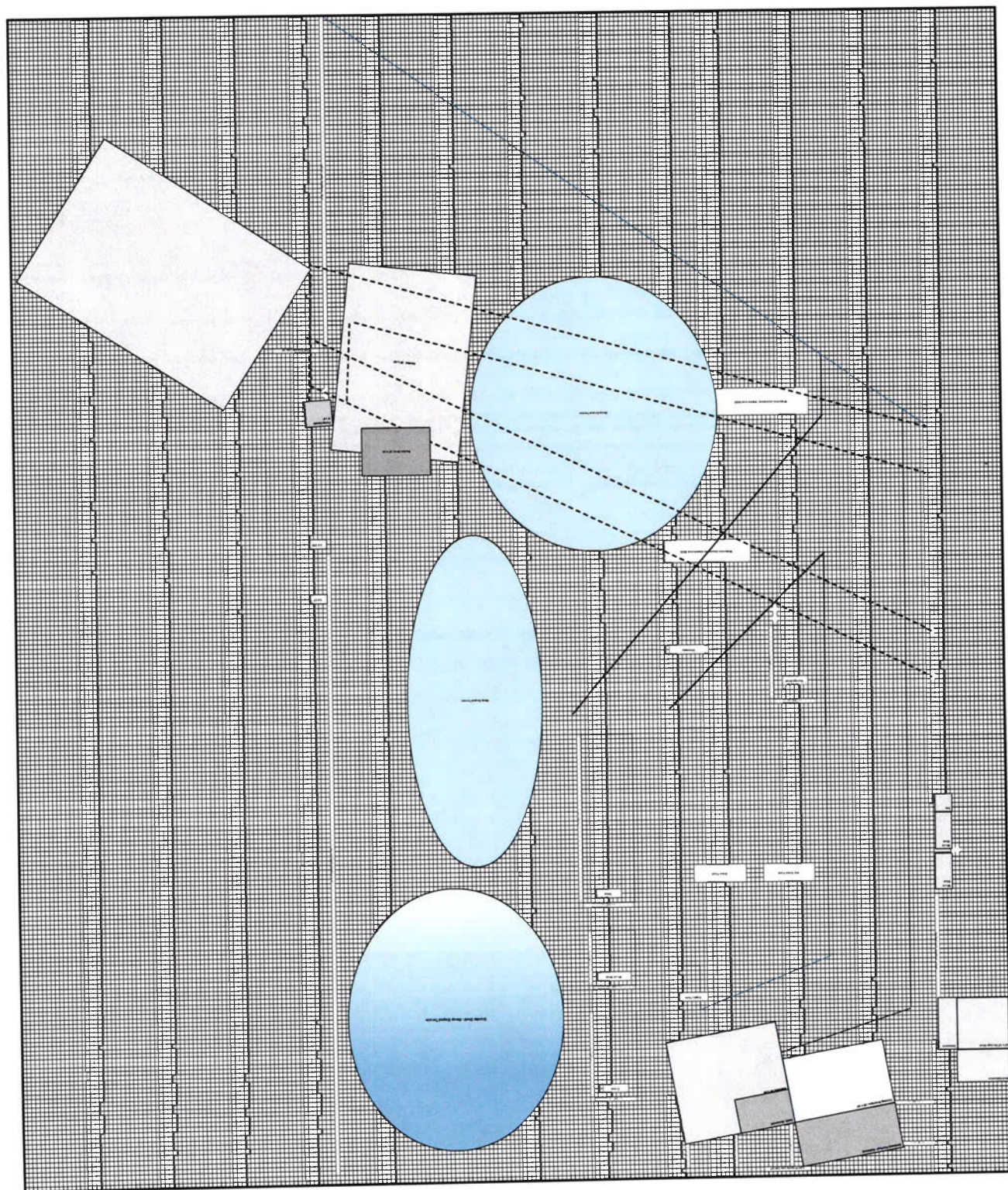


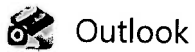












Topographical - Terrain CORRECTION

From Michael Walcom <[REDACTED]>

Date Thu 7/9/2026 7:56 AM

To Lori Hunter <lhunter@valleycountyid.gov>

📎 1 attachment (4 MB)

Topographical - Terrain.pdf;

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

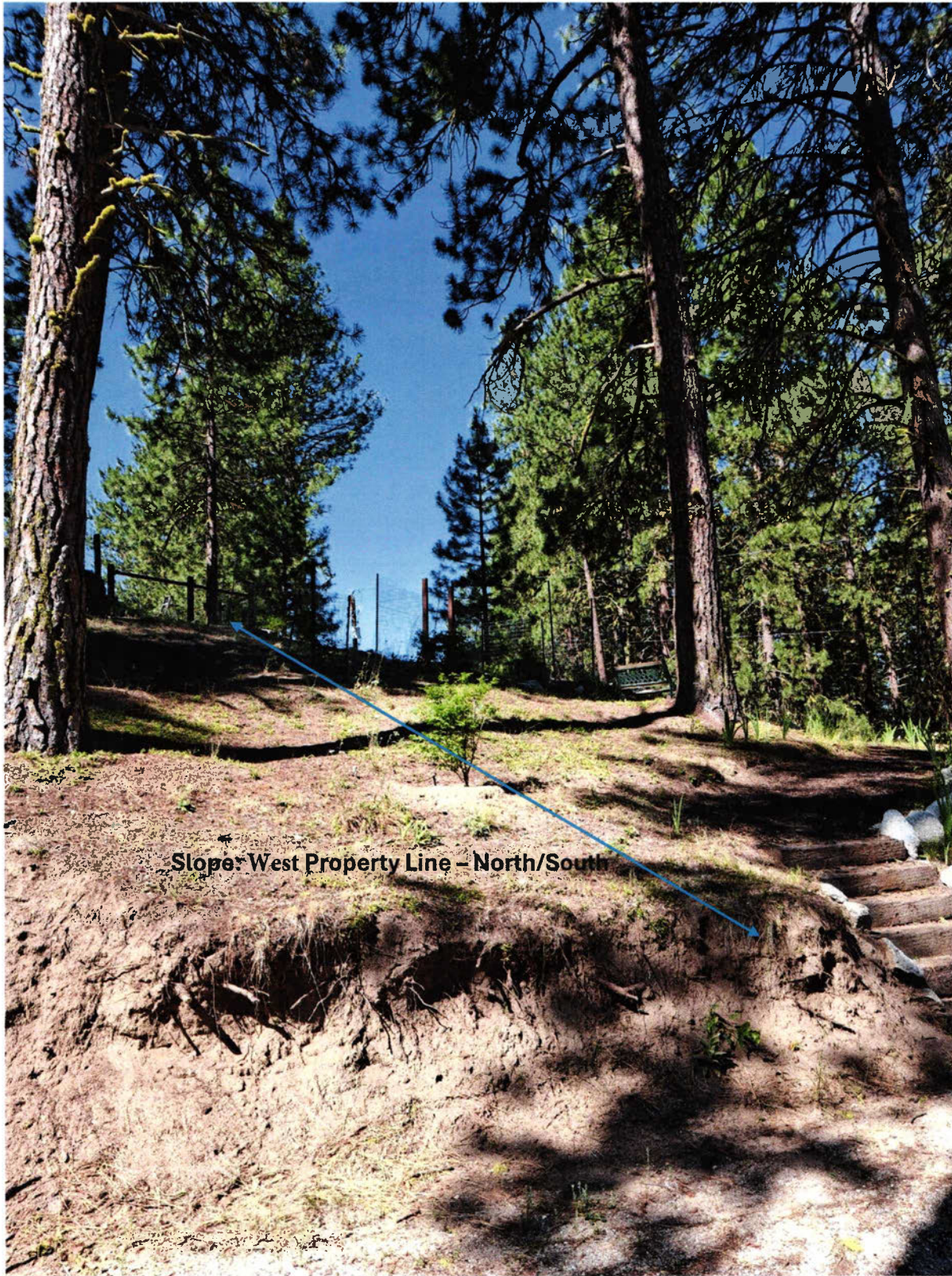
Lori,

Attached is the corrected document. Property lines (pages 1 & 2) were changed From West to East and from East to West.

My apologies for the error.

R,







Slope: East Property Line North/South

