



Board of County Commissioners Staff Report
Echo Estate Subdivision - SD2020-0009

Hearing Date: September 17, 2020

Development Services Department

Applicant:

Anson Echols

Representative:

Sawtooth Land Surveying

Staff:

Jennifer Almeida

jalmeyda@canyonco.org

Tax ID:

R37412014

Impact Area:

Not within

Current Zone:

CR-RR (Conditional Rezone/ Rural Residential)

Comprehensive Plan:

2020 CC Comprehensive Plan

Future Land Use: Agriculture

Lot Size/Project Area:

Approx. 2.35 acres

Applicable Zoning Land Use

Regulations: CCZO Article 17

Notification:

- 8/24/20 Agency Notice
8/24/20 Radius Notice
8/27/20 Publication
9/4/20 Posting (on or before)

Exhibits:

- 1. Findings, Conclusions, Conditions, Order
2. Preliminary Plat
3. Small Aerial Photo
4. Vicinity Map
5. Keller & Associates
6. Black Canyon Irrigation District
7. Email Canyon Highway District No. 4
8. Canyon Highway District No. 4
9. Middleton Fire Dept.
10. Larry Haviland & Nancy Baker
11. Record of Survey (Baker Property and subject property) Instrument No. 2000-34660
12. P&Z FCOs
13. P&Z Minutes July 16, 2020

Request

A request by Anson Echols for approval of a Preliminary Plat and Final for Echo Estate Subdivision. The development consists of one (1) residential lot and is located in a CR-RR (Conditional Rezone/Rural Residential) zone. The subject property, parcel no. R37412014 is located approximately 2075 ft. east of the intersection of Cemetery Rd. and Bullock Rd., in the SW 1/4 of Section 19, T5N, R2W, BM.

Background

The subject property was conditionally rezoned to rural residential in May of 2019 (Case No. CR2018-0011). The average minimum lot size in a CR-RR zone is two (2) acres. The proposed lot is 2.35 acres and meets the average minimum lot size in the R-R zone.

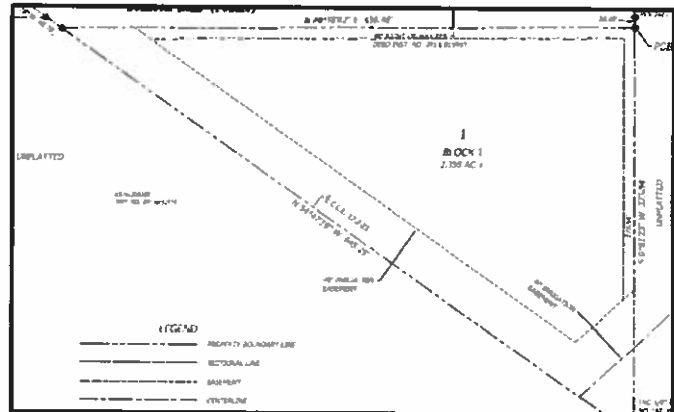
The Planning & Zoning Commission recommended approval of the Preliminary Plat on July 16, 2020 (Exhibit 12).

Analysis:

Echo Estate Subdivision contains one (1) residential lot.

The subdivision will utilize:

- Individual domestic well
Individual septic system
The property has irrigation water available to it and will continue to flood irrigated as it is currently (plat note no. 5).
The lot will access Bullock Road (public) via an existing access easement (Inst No. 9730638). The 30 ft. access was approved via LS2004-549. Therefore, an easement reduction was not required.



Keller & Associates has reviewed and signed the final plat mylar.

Black Canyon Irrigation District noted maintenance road right-of-ways and lateral right of ways will need to be protected. Crossing agreements will be required to cross over any laterals (Exhibit 6).

Canyon Highway District No. 4 has indicated they maintain Bullock Rd., approximately 1880 ft. from the intersection of Bullock Rd. and Cemetery Rd. (Exhibit 7). Canyon Highway District No. 4 has reviewed the plat and found that the plat conforms with highway district standards and procedures (Exhibit 8). The district has signed the final plat mylar.

A Road User's Maintenance Agreement has been recorded for the maintenance of the portion of Bullock Ln. that is not maintained by the Highway District (Instrument No. 2020-052002).

The subdivision meets Idaho Code and CCZO, Article 17 requirements for the preliminary and final plat.

Preliminary & Final Plat

Standard of Review for Subdivision Plats

- A. Idaho Code, Sections 67-6512, 6509 and 6535 (Subdivisions, Hearings, Decisions)
- B. Idaho Code, Sections 50-1301 through 50-1329 (Platting)
- C. Idaho Code 31-3805 (Irrigation)
- D. Canyon County Zoning Ordinance, Article 17 (Subdivision Regulations)

Comments

Public Comments

At the time of this report staff had received one letter (Exhibit 10) regarding the plat and it is attached as an exhibit.

County Agency Comments

Staff informed applicable agencies of the proposed development the responses are attached as exhibits.

Alternatives

The Board of County Commissioners may sustain, modify, or reject the recommendations of the Commission.

Recommendation

Staff recommends the Board of County Commissioners open a public hearing and discuss the proposed Preliminary and Final Plat.

Staff is recommending **approval** of the application, subject to the recommended conditions of approval.

Proposed findings of fact, conclusions of law for the Board's consideration are found in Exhibit 1.



Canyon County Board of County Commissioners

Echo Estate Subdivision

Development Services Department

Findings

1. The property is currently zoned "CR-RR" (Conditional Rezone/Rural Residential) and is subject to a development agreement (No. 19-065, Inst # 2019-022071).
2. The average minimum lot size in a "CR-RR" zone is two (2) acres. The proposed lot is approximately 2.35 acres adheres to the minimum lot size in the zone.
3. The subject property, parcel no. R37412014 is located approximately 2075 ft. east of the intersection of Cemetery Rd. and Bullock Rd., in the SW ¼ of Section 19, T5N, R2W, BM.
4. The proposed preliminary plat is in conformance with CCZO Article 17, Idaho Code, Sections 67-6512, 6509 and 6535 (Subdivisions, Hearings, Decisions, and Idaho Code, Sections 50-1301 through 50-1329 (Platting) and 31-3805 (Irrigation)).
5. The property is not located within an area of city impact.
6. The lot will be served by an individual domestic well and individual septic system.
7. The subject property is located within Middleton School District, Middleton Fire District, Canyon Highway District No. 4, and Black Canyon Irrigation District.
8. The Planning & Zoning Commission recommended approval of the Preliminary Plat on July 16, 2020.
9. Notice of the public hearing was provided in accordance with CCZO §07-05-01. Agency notice was provided on 8/24/20, Newspaper notice was provided on 8/27/20, property owners within 300' were notified by mail on 8/24/20, and the property was posted on or before 9/4/20.
10. The record includes all testimony received at the public hearing on 7/16/20, 9/17/20, the staff report, exhibits, and documents in case file SD2020-0009.

Conclusions of Law

The Board of County Commissioners have the authority to sustain, modify or reject the recommendations of the Commission. The public notice requirements were met and the hearing was conducted within the guidelines of applicable Idaho Code and County ordinances.

Conditions of Approval

1. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained unless approved in writing by the local irrigation district or ditch company.

Order

Based upon the Findings of Fact, Conclusions of Law contained herein for Case No. SD2020-0009, the Board of County Commissioners approve the Preliminary & Final Plat for Echo Estate Subdivision, subject to the Condition of Approval as enumerated herein.

APPROVED on this _____ day of _____, 2020

BOARD OF COUNTY COMMISSIONERS

CANYON COUNTY,

Yes No Did Not Vote

Commissioner White

Commissioner Dale

Commissioner Van Beek

Attest: Chris Yamamoto, Clerk

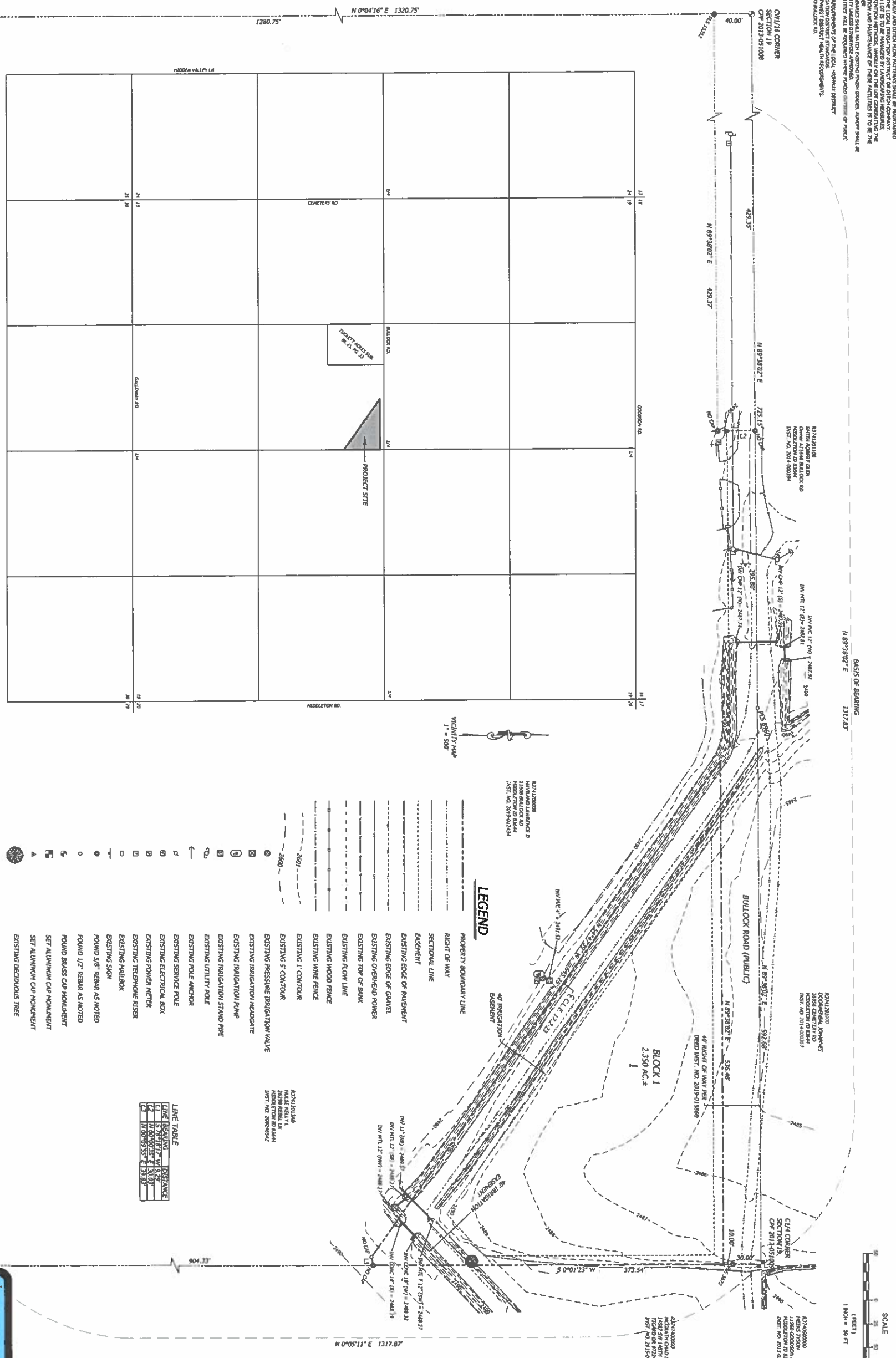
By: _____

NOTES:

1. EASEMENTS, A PREVIOUS EASEMENT FOR PUBLIC UTILITIES AND PROPERTY DISTANCE IS SHOWN ON THIS PLAT. THE EASEMENT FOR PUBLIC UTILITIES AND PROPERTY DISTANCE IS SHOWN ON THIS PLAT.
2. WATER FOR DOMESTIC PURPOSES SHALL BE SUPPLIED BY SINGLE FAMILY WELLS. SURFACE WATER SHALL BE USED FOR IRRIGATION PURPOSES. THE LOCATION OF WELLS SHALL BE SUBJECT TO THE APPROVAL OF SPOONHEIST DISTRICT #11.
3. GRADE CONTROL SHALL BE BY INDIVIDUAL SERVICE SYSTEMS. SURFACE RESTRICTIONS SHALL BE BY INDIVIDUAL SERVICE SYSTEMS. SURFACE RESTRICTIONS SHALL BE BY INDIVIDUAL SERVICE SYSTEMS.
4. NO PERMANENT STRUCTURE SHALL BE LOCATED CLOSER THAN SEVENTY (70) FEET TO ANY EASEMENT OR RIGHT-OF-WAY LINE.
5. THIS DEVELOPMENT IS IN COMPLIANCE WITH IDAHO CODE § 11-3001(1)(b), (1)(c), (1)(d), (1)(e), (1)(f), (1)(g), (1)(h), (1)(i), (1)(j), (1)(k), (1)(l), (1)(m), (1)(n), (1)(o), (1)(p), (1)(q), (1)(r), (1)(s), (1)(t), (1)(u), (1)(v), (1)(w), (1)(x), (1)(y), (1)(z), (1)(aa), (1)(ab), (1)(ac), (1)(ad), (1)(ae), (1)(af), (1)(ag), (1)(ah), (1)(ai), (1)(aj), (1)(ak), (1)(al), (1)(am), (1)(an), (1)(ao), (1)(ap), (1)(aq), (1)(ar), (1)(as), (1)(at), (1)(au), (1)(av), (1)(aw), (1)(ax), (1)(ay), (1)(az), (1)(ba), (1)(bb), (1)(bc), (1)(bd), (1)(be), (1)(bf), (1)(bg), (1)(bh), (1)(bi), (1)(bj), (1)(bk), (1)(bl), (1)(bm), (1)(bn), (1)(bo), (1)(bp), (1)(bq), (1)(br), (1)(bs), (1)(bt), (1)(bu), (1)(bv), (1)(bw), (1)(bx), (1)(by), (1)(bz), (1)(ca), (1)(cb), (1)(cc), (1)(cd), (1)(ce), (1)(cf), (1)(cg), (1)(ch), (1)(ci), (1)(cj), (1)(ck), (1)(cl), (1)(cm), (1)(cn), (1)(co), (1)(cp), (1)(cq), (1)(cr), (1)(cs), (1)(ct), (1)(cu), (1)(cv), (1)(cw), (1)(cx), (1)(cy), (1)(cz), (1)(da), (1)(db), (1)(dc), (1)(dd), (1)(de), (1)(df), (1)(dg), (1)(dh), (1)(di), (1)(dj), (1)(dk), (1)(dl), (1)(dm), (1)(dn), (1)(do), (1)(dp), (1)(dq), (1)(dr), (1)(ds), (1)(dt), (1)(du), (1)(dv), (1)(dw), (1)(dx), (1)(dy), (1)(dz), (1)(ea), (1)(eb), (1)(ec), (1)(ed), (1)(ee), (1)(ef), (1)(eg), (1)(eh), (1)(ei), (1)(ej), (1)(ek), (1)(el), (1)(em), (1)(en), (1)(eo), (1)(ep), (1)(eq), (1)(er), (1)(es), (1)(et), (1)(eu), (1)(ev), (1)(ew), (1)(ex), (1)(ey), (1)(ez), (1)(fa), (1)(fb), (1)(fc), (1)(fd), (1)(fe), (1)(ff), (1)(fg), (1)(fh), (1)(fi), (1)(fj), (1)(fk), (1)(fl), (1)(fm), (1)(fn), (1)(fo), (1)(fp), (1)(fq), (1)(fr), (1)(fs), (1)(ft), (1)(fu), (1)(fv), (1)(fw), (1)(fx), (1)(fy), (1)(fz), (1)(ga), (1)(gb), (1)(gc), (1)(gd), (1)(ge), (1)(gf), (1)(gg), (1)(gh), (1)(gi), (1)(gj), (1)(gk), (1)(gl), (1)(gm), (1)(gn), (1)(go), (1)(gp), (1)(gq), (1)(gr), (1)(gs), (1)(gt), (1)(gu), (1)(gv), (1)(gw), (1)(gx), (1)(gy), (1)(gz), (1)(ha), (1)(hb), (1)(hc), (1)(hd), (1)(he), (1)(hf), (1)(hg), (1)(hh), (1)(hi), (1)(hj), (1)(hk), (1)(hl), (1)(hm), (1)(hn), (1)(ho), (1)(hp), (1)(hq), (1)(hr), (1)(hs), (1)(ht), (1)(hu), (1)(hv), (1)(hw), (1)(hx), (1)(hy), (1)(hz), (1)(ia), (1)(ib), (1)(ic), (1)(id), (1)(ie), (1)(if), (1)(ig), (1)(ih), (1)(ii), (1)(ij), (1)(ik), (1)(il), (1)(im), (1)(in), (1)(io), (1)(ip), (1)(iq), (1)(ir), (1)(is), (1)(it), (1)(iu), (1)(iv), (1)(iw), (1)(ix), (1)(iy), (1)(iz), (1)(ja), (1)(jb), (1)(jc), (1)(jd), (1)(je), (1)(jf), (1)(jg), (1)(jh), (1)(ji), (1)(jj), (1)(jk), (1)(jl), (1)(jm), (1)(jn), (1)(jo), (1)(jp), (1)(jq), (1)(jr), (1)(js), (1)(jt), (1)(ju), (1)(jv), (1)(jw), (1)(jx), (1)(jy), (1)(jz), (1)(ka), (1)(kb), (1)(kc), (1)(kd), (1)(ke), (1)(kf), (1)(kg), (1)(kh), (1)(ki), (1)(kj), (1)(kk), (1)(kl), (1)(km), (1)(kn), (1)(ko), (1)(kp), (1)(kq), (1)(kr), (1)(ks), (1)(kt), (1)(ku), (1)(kv), (1)(kw), (1)(kx), (1)(ky), (1)(kz), (1)(la), (1)(lb), (1)(lc), (1)(ld), (1)(le), (1)(lf), (1)(lg), (1)(lh), (1)(li), (1)(lj), (1)(lk), (1)(ll), (1)(lm), (1)(ln), (1)(lo), (1)(lp), (1)(lq), (1)(lr), (1)(ls), (1)(lt), (1)(lu), (1)(lv), (1)(lw), (1)(lx), (1)(ly), (1)(lz), (1)(ma), (1)(mb), (1)(mc), (1)(md), (1)(me), (1)(mf), (1)(mg), (1)(mh), (1)(mi), (1)(mj), (1)(mk), (1)(ml), (1)(mm), (1)(mn), (1)(mo), (1)(mp), (1)(mq), (1)(mr), (1)(ms), (1)(mt), (1)(mu), (1)(mv), (1)(mw), (1)(mx), (1)(my), (1)(mz), (1)(na), (1)(nb), (1)(nc), (1)(nd), (1)(ne), (1)(nf), (1)(ng), (1)(nh), (1)(ni), (1)(nj), (1)(nk), (1)(nl), (1)(nm), (1)(no), (1)(np), (1)(nq), (1)(nr), (1)(ns), (1)(nt), (1)(nu), (1)(nv), (1)(nw), (1)(nx), (1)(ny), (1)(nz), (1)(oa), (1)(ob), (1)(oc), (1)(od), (1)(oe), (1)(of), (1)(og), (1)(oh), (1)(oi), (1)(oj), (1)(ok), (1)(ol), (1)(om), (1)(on), (1)(oo), (1)(op), (1)(oq), (1)(or), (1)(os), (1)(ot), (1)(ou), (1)(ov), (1)(ow), (1)(ox), (1)(oy), (1)(oz), (1)(pa), (1)(pb), (1)(pc), (1)(pd), (1)(pe), (1)(pf), (1)(pg), (1)(ph), (1)(pi), (1)(pj), (1)(pk), (1)(pl), (1)(pm), (1)(pn), (1)(po), (1)(pp), (1)(pq), (1)(pr), (1)(ps), (1)(pt), (1)(pu), (1)(pv), (1)(pw), (1)(px), (1)(py), (1)(pz), (1)(qa), (1)(qb), (1)(qc), (1)(qd), (1)(qe), (1)(qf), (1)(qg), (1)(qh), (1)(qi), (1)(qj), (1)(qk), (1)(ql), (1)(qm), (1)(qn), (1)(qo), (1)(qp), (1)(qq), (1)(qr), (1)(qs), (1)(qt), (1)(qu), (1)(qv), (1)(qw), (1)(qx), (1)(qy), (1)(qz), (1)(ra), (1)(rb), (1)(rc), (1)(rd), (1)(re), (1)(rf), (1)(rg), (1)(rh), (1)(ri), (1)(rj), (1)(rk), (1)(rl), (1)(rm), (1)(rn), (1)(ro), (1)(rp), (1)(rq), (1)(rr), (1)(rs), (1)(rt), (1)(ru), (1)(rv), (1)(rw), (1)(rx), (1)(ry), (1)(rz), (1)(sa), (1)(sb), (1)(sc), (1)(sd), (1)(se), (1)(sf), (1)(sg), (1)(sh), (1)(si), (1)(sj), (1)(sk), (1)(sl), (1)(sm), (1)(sn), (1)(so), (1)(sp), (1)(sq), (1)(sr), (1)(ss), (1)(st), (1)(su), (1)(sv), (1)(sw), (1)(sx), (1)(sy), (1)(sz), (1)(ta), (1)(tb), (1)(tc), (1)(td), (1)(te), (1)(tf), (1)(tg), (1)(th), (1)(ti), (1)(tj), (1)(tk), (1)(tl), (1)(tm), (1)(tn), (1)(to), (1)(tp), (1)(tq), (1)(tr), (1)(ts), (1)(tu), (1)(tv), (1)(tw), (1)(tx), (1)(ty), (1)(tz), (1)(ua), (1)(ub), (1)(uc), (1)(ud), (1)(ue), (1)(uf), (1)(ug), (1)(uh), (1)(ui), (1)(uj), (1)(uk), (1)(ul), (1)(um), (1)(un), (1)(uo), (1)(up), (1)(uq), (1)(ur), (1)(us), (1)(ut), (1)(uu), (1)(uv), (1)(uw), (1)(ux), (1)(uy), (1)(uz), (1)(va), (1)(vb), (1)(vc), (1)(vd), (1)(ve), (1)(vf), (1)(vg), (1)(vh), (1)(vi), (1)(vj), (1)(vk), (1)(vl), (1)(vm), (1)(vn), (1)(vo), (1)(vp), (1)(vq), (1)(vr), (1)(vs), (1)(vt), (1)(vu), (1)(vv), (1)(vw), (1)(vx), (1)(vy), (1)(vz), (1)(wa), (1)(wb), (1)(wc), (1)(wd), (1)(we), (1)(wf), (1)(wg), (1)(wh), (1)(wi), (1)(wj), (1)(wk), (1)(wl), (1)(wm), (1)(wn), (1)(wo), (1)(wp), (1)(wq), (1)(wr), (1)(ws), (1)(wt), (1)(wu), (1)(wv), (1)(wv), (1)(wx), (1)(wy), (1)(wz), (1)(xa), (1)(xb), (1)(xc), (1)(xd), (1)(xe), (1)(xf), (1)(xg), (1)(xh), (1)(xi), (1)(xj), (1)(xk), (1)(xl), (1)(xm), (1)(xn), (1)(xo), (1)(xp), (1)(xq), (1)(xr), (1)(xs), (1)(xt), (1)(xu), (1)(xv), (1)(xw), (1)(xx), (1)(xy), (1)(xz), (1)(ya), (1)(yb), (1)(yc), (1)(yd), (1)(ye), (1)(yf), (1)(yg), (1)(yh), (1)(yi), (1)(yj), (1)(yk), (1)(yl), (1)(ym), (1)(yn), (1)(yo), (1)(yp), (1)(yq), (1)(yr), (1)(ys), (1)(yt), (1)(yu), (1)(yv), (1)(yw), (1)(yx), (1)(yz), (1)(za), (1)(zb), (1)(zc), (1)(zd), (1)(ze), (1)(zf), (1)(zg), (1)(zh), (1)(zi), (1)(zj), (1)(zk), (1)(zl), (1)(zm), (1)(zn), (1)(zo), (1)(zp), (1)(zq), (1)(zr), (1)(zs), (1)(zt), (1)(zu), (1)(zv), (1)(zw), (1)(zx), (1)(zy), (1)(zz).

FEMA NOTE:
 THIS PROJECT IS IN FLOOD HAZARD ZONE 1.
 THE FLOOD HAZARD ZONE 1 EFFECTIVE DATE IS 2011.
 ZONE 1: AREA OF MINIMAL FLOOD HAZARD

**PRELIMINARY PLAT FOR ECHO ESTATE SUBDIVISION
 LOCATED IN THE NE 1/4 OF THE SE 1/4 OF SECTION 19,
 T. 5 N., R. 2 W., B.M., CANYON COUNTY, IDAHO
 2020**



- LEGEND**
- PROPERTY BOUNDARY LINE
 - RIGHT-OF-WAY SECTIONAL LINE
 - EASEMENT
 - EXISTING EDGE OF PAVEMENT
 - EXISTING EDGE OF GRAVEL
 - EXISTING OVERHEAD POWER
 - EXISTING TOP-OF-BANK
 - EXISTING ROW LINE
 - EXISTING WOOD FENCE
 - EXISTING WIRE FENCE
 - EXISTING 1" CONTOUR
 - EXISTING 5" CONTOUR
 - EXISTING PRESSURE BRIGATION VALVE
 - EXISTING BRIGATION HEADGATE
 - EXISTING BRIGATION PUMP
 - EXISTING BRIGATION STAND PIPE
 - EXISTING UTILITY POLE
 - EXISTING POLE ANCHOR
 - EXISTING SERVICE POLE
 - EXISTING ELECTRICAL BOX
 - EXISTING POWER METER
 - EXISTING TELEPHONE RISER
 - EXISTING MAILBOX
 - EXISTING SIGN
 - FOUND 5\"/>

LINE TABLE

LINE BEARING	DISTANCE
N 79°17'17\"/>	

EXHIBIT 2

ENGAD-Boyanne, R. J.
 Cao D. Foster

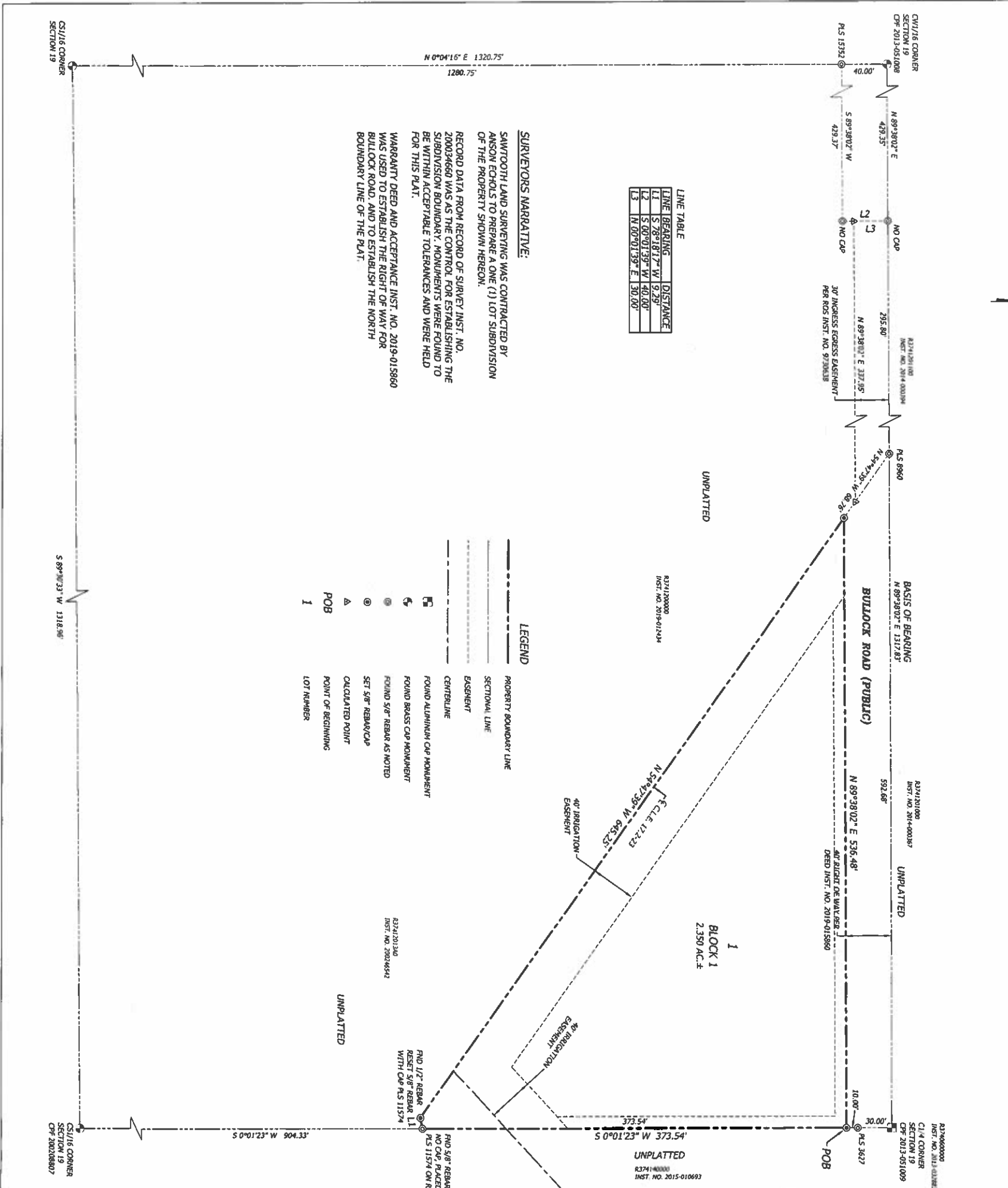
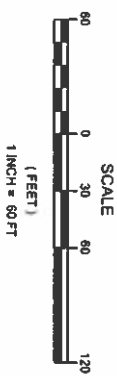
TITLE: ANSON ECHOLS MIDDLETON PLAT CANYON COUNTY, IDAHO		OWNER/DEVELOPER: ANSON ECHOLS P.O. BOX 462 STAR, ID. 83669 208-447-8984													
DATE: 2/20/20 SHEET: SHEET 1 OF 1	DESIGNED BY: BT DRAWN BY: BT CHECKED BY: JB	PROJECT # 120007-PP PROJECT # 120007	REVISIONS <table border="1"> <thead> <tr> <th>No.</th> <th>BY</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>WFJ</td> <td>4/2/20</td> <td>PROCESS COUNTY REDLINES</td> </tr> <tr> <td>2</td> <td>WFJ</td> <td>5/12/20</td> <td>PROCESS COUNTY SURVEYOR COMMENT</td> </tr> </tbody> </table>	No.	BY	DATE	DESCRIPTION	1	WFJ	4/2/20	PROCESS COUNTY REDLINES	2	WFJ	5/12/20	PROCESS COUNTY SURVEYOR COMMENT
No.	BY	DATE	DESCRIPTION												
1	WFJ	4/2/20	PROCESS COUNTY REDLINES												
2	WFJ	5/12/20	PROCESS COUNTY SURVEYOR COMMENT												

2030 S. WASHINGTON AVE.
 EMMETT, ID 83617
 (208) 398-8104
 FAX (208) 398-8105
 WWW.SAWTOOTHLS.COM

SAWTOOTH
 Land Surveying, LLC

PROFESSIONAL LAND SURVEYOR
 11574
 IDAHO

ECHO ESTATE SUBDIVISION
A PARCEL OF LAND LOCATED IN THE NE1/4, OF THE SW1/4, SECTION 19,
T. 5 N., R. 2 W., B.M., CANYON COUNTY, IDAHO
2020



LINE TABLE

LINE BEARING	DISTANCE
L1 S 78°18'17\" W 9.29	
L2 S 00°01'39\" W 40.00	
L3 N 00°01'39\" E 30.00	

SURVEYORS NARRATIVE:
 SAWTOOTH LAND SURVEYING WAS CONTRACTED BY ANSON ECHOLS TO PREPARE A ONE (1) LOT SUBDIVISION OF THE PROPERTY SHOWN HEREON.
 RECORD DATA FROM RECORD OF SURVEY INST. NO. 200034660 WAS AS THE CONTROL FOR ESTABLISHING THE SUBDIVISION BOUNDARY. MONUMENTS WERE FOUND TO BE WITHIN ACCEPTABLE TOLERANCES AND WERE HELD FOR THIS PLAN.
 WARRANTY DEED AND ACCEPTANCE INST. NO. 2019-015860 WAS USED TO ESTABLISH THE RIGHT OF WAY FOR BULLOCK ROAD, AND TO ESTABLISH THE NORTH BOUNDARY LINE OF THE PLAT.

LEGEND

	PROPERTY BOUNDARY LINE
	SECTIONAL LINE
	EASEMENT
	CENTERLINE
	FOUND ALUMINUM CAP MONUMENT
	FOUND BRASS CAP MONUMENT
	FOUND SIF REBAR AS NOTED
	SET SIF REBAR/CAP
	CALCULATED POINT
	POINT OF BEGINNING
	LOT NUMBERS

PLAT NOTES:

1. EASEMENTS: A PERMANENT EASEMENT FOR PUBLIC UTILITIES AND PROPERTY DRAINAGE IS HEREBY RESERVED ALONG THE FOLLOWING:
 - TEN (10) FOOT WIDE ALONG SUBDIVISION BOUNDARY AND REAR LOT LINES OR AS DEPICTED
2. THIS DEVELOPMENT RECOGNIZES SECTION 22-4313 OF IDAHO CODE AS RIGHT TO FARM ACT WHICH STATES TWO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITION IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FOR THE IMPROPER OR NEGLECTFUL OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF.
3. WATER FOR DOMESTIC PURPOSES SHALL BE SUPPLIED BY SINGLE PARTY WHILE SANITARY RESTRICTIONS DESIGNATING AREAS RESERVED FOR WELL INSTALLATION SHALL BE SUBJECT TO THE APPROVAL OF SOUTHWEST DISTRICT HEALTH.
4. SEWAGE DISPOSAL SHALL BE BY INDIVIDUAL SEPTIC SYSTEMS. SANITARY RESTRICTIONS DESIGNATING AREAS RESERVED FOR CONSTRUCTION OF DRAIN FIELDS SHALL BE SUBJECT TO THE APPROVAL OF SOUTHWEST DISTRICT HEALTH.
5. NO REARWARD STRUCTURE SHALL BE LOCATED CLOSER THAN SEVENTY (70) FEET TO ANY SECTION OR QUARTER LINE PRESERVED FOR A FUTURE ROAD UNLESS THE HIGHWAY DISTRICT HAVING JURISDICTION WAIVES THE SEVENTY (70) FOOT SETBACK REQUIREMENT.
6. THIS DEVELOPMENT RECOGNIZES AND IS IN COMPLIANCE WITH IDAHO CODE 31.3805(2)(A) LOTS ARE SUBJECT TO ASSESSMENTS FROM THE BLACK CANYON IRRIGATION DISTRICT. THE PROPERTY IS FLOOD IRRIGATED AND WILL CONTINUE TO BE IRRIGATED ON THE SAME MANNER AS IS EXISTING.
7. THIS PROPERTY IS ZONED RR.
8. HISTORICAL IRRIGATION LATERAL, DRAIN AND DITCH FLOW PATTERNS SHALL BE MAINTAINED UNLESS APPROVED IN WRITING BY THE LOCAL IRRIGATION DISTRICT OR DITCH COMPANY.
9. STORM WATER RUN-OFF FROM EACH LOT IS TO BE MANAGED BY LANDSCAPING MEASURES, SWALES, DITCHES AND SIMILAR DETENTION METHODS, WHOLLY ON THE LOT OPERATING THE RUN-OFF. THE DESIGN, CONSTRUCTION AND MAINTENANCE OF THESE FACILITIES IS TO BE THE RESPONSIBILITY OF EACH LOT OWNER.

REFERENCES:

- R1) RECORD OF SURVEY INST. NO. 200034660
- R2) TICKETTY ACRES SUBDIVISION BOOK 45, PAGE 33, INST. NO. 2016-044727
- R3) WARRANTY DEED INST. NO. 2019-050946
- R4) WARRANTY DEED AND ACCEPTANCE INST. NO. 2019-015860



DATE	REVISIONS
6/19/20	REVISED PER COUNTY SURVEYOR REVIEW

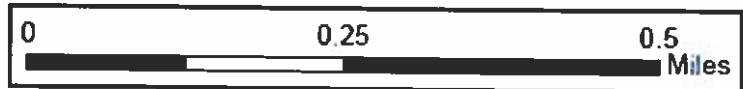
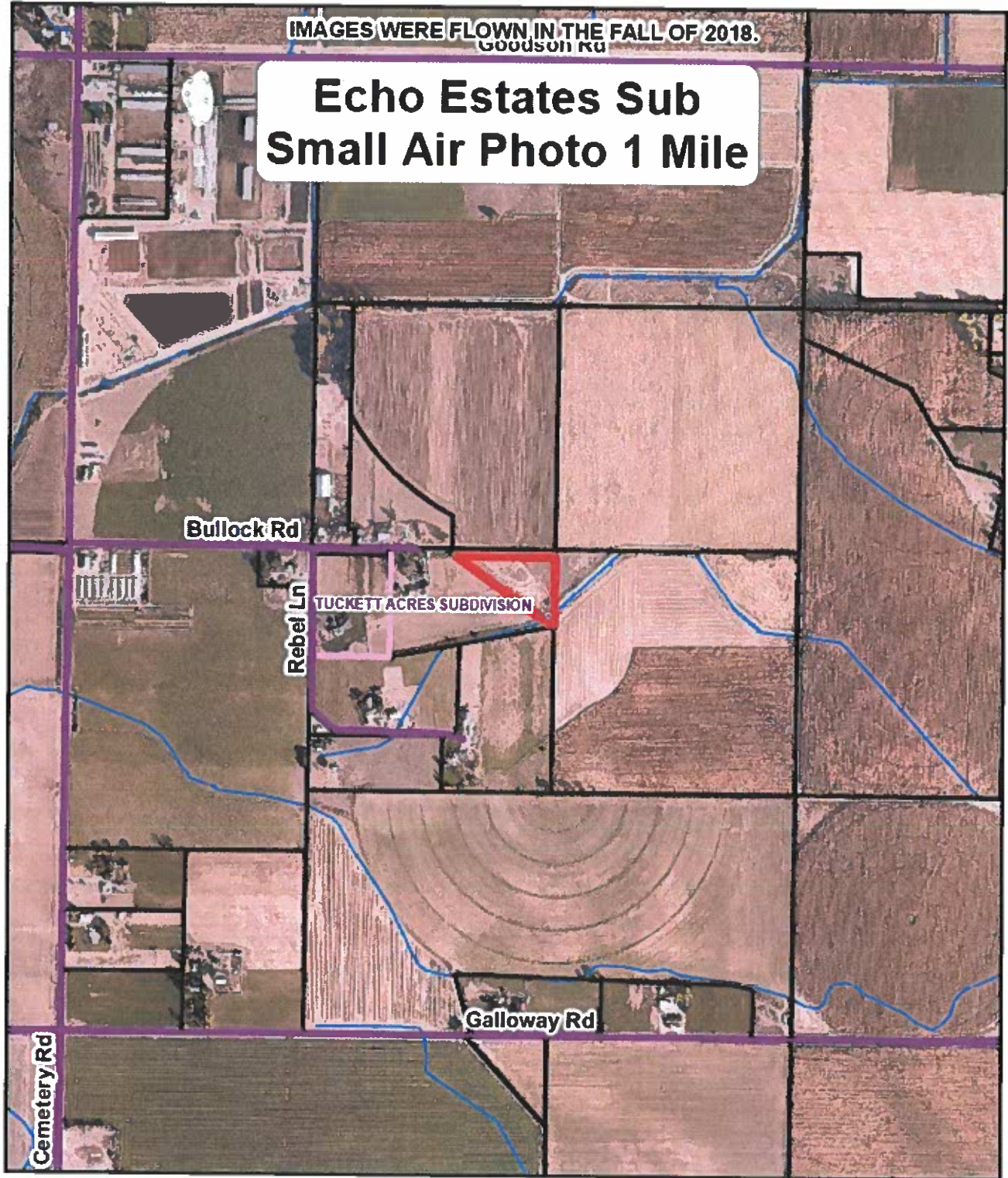
SAWTOOTH
 Land Surveying, LLC WWW.SAWTOOTHLS.COM

2030 S. WASHINGTON AVE.
 EMMETT, ID 83617
 (208) 398-8104
 FAX (208) 398-8105

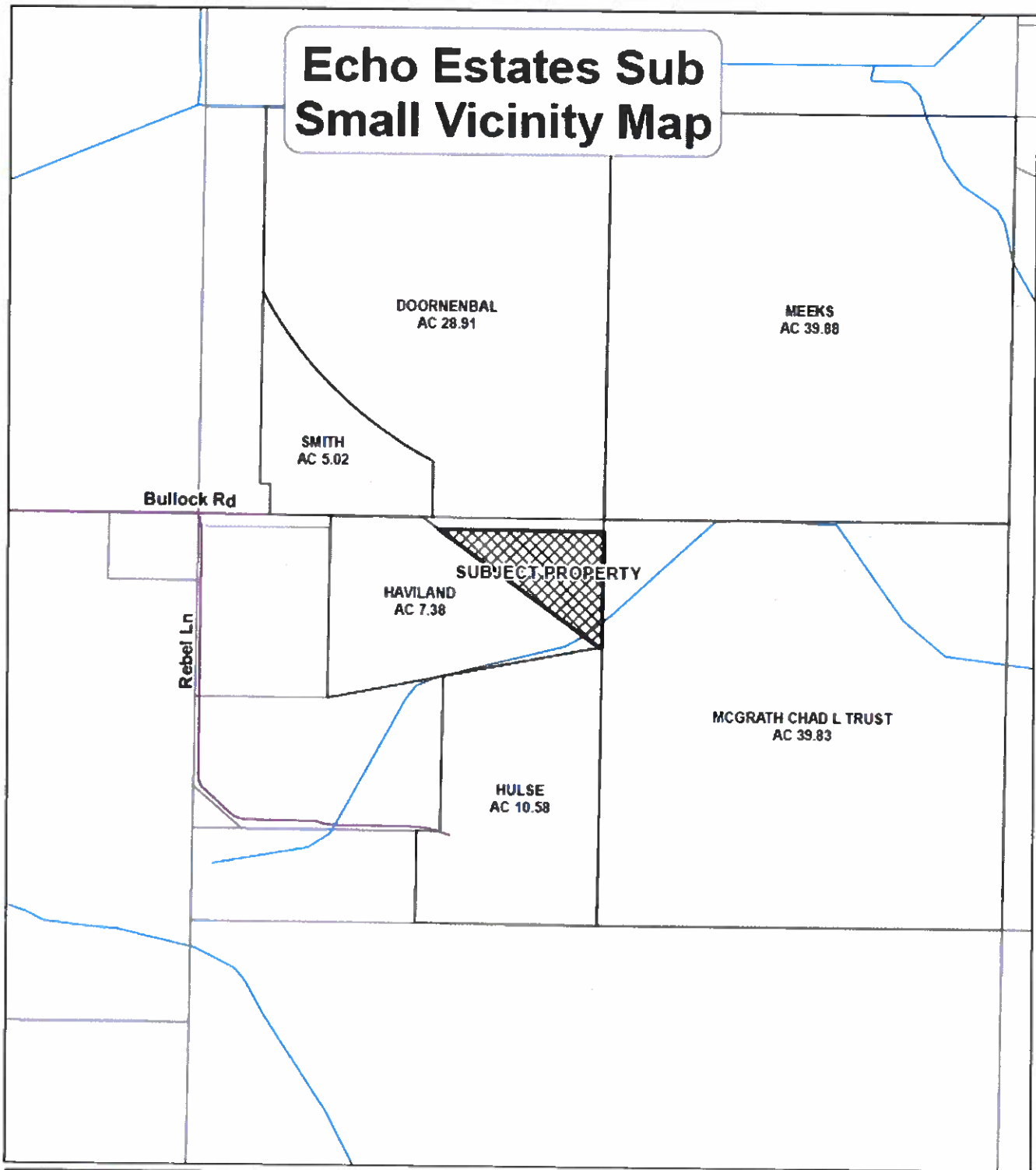
SHEET: 1 OF 3	DATE: 5/2020	DRAWN BY: BT/WF3	CHECKED BY: JB	DOB#: 120007	DWG#: 120007-FP
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IMAGES WERE FLOWN IN THE FALL OF 2018.
GOODSON RD

Echo Estates Sub Small Air Photo 1 Mile



Echo Estates Sub Small Vicinity Map



KELLER
ASSOCIATES



131 SW 5th Ave, Suite A
Meridian, ID 83642

(208) 288-1992

May 1, 2020

Ms. Jennifer Almeida
Canyon County Planner
Development Services Department
111 North 11th Ave. #140
Caldwell, Idaho 83605

Re: **Echo Estates Subdivision Preliminary Plat Application**

Dear Ms. Almeida:

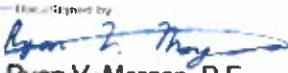
Keller Associates, Inc. has reviewed the Preliminary Plat for the Echo Estates Subdivision dated January 20th, 2020. We reviewed the applicant's package for conformance with the Canyon County Code Ordinance Article 17. We have the following comments in order for the applicant to satisfy the County's requirements:

1. Provide developers address.
2. Note 14, references Bull Rd, it appears that the road name graphically shown is Bullock Rd on the plan view, please update to whichever is the correct name.
3. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained unless approved in writing by the local irrigation district or ditch company.
4. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
5. Plat shall comply with requirements of the local highway district.
6. Plat shall comply with irrigation district requirements.
7. Plat shall comply with Southwest District Health requirements.

We recommend that the preliminary plat be **APPROVED** with the conditions listed above. Any variance or waivers to the Canyon County standards, ordinances, or policies must be specifically approved in writing by the County. Approval of the above referenced preliminary plat does not relieve the Registered Professional Land Surveyor or the Registered Professional Engineer of those responsibilities.

If you have any questions, please do not hesitate to call Keller Associates at (208) 288-1992.

Sincerely,
KELLER ASSOCIATES, INC.

Electronically signed by

Ryan V. Morgan, P.E.
County Engineer

213060-126/20-170

GROWING POSSIBILITIES 



May 21, 2020

Canyon County Development Services Department
111 N. 11th Ave. Ste. 140
Caldwell, ID 83605



RE: Echo Estate Subdivision
Planner: Jennifer Almeida

Reference to Preliminary Plat and Final Plat

The property is parcel no. R374121014 and is located at the southeast corner of Bullock Rd., Middleton, ID in the SW ¼ of Section 19, T5N, R2W, BM, Canyon County, Idaho.

Any and all **maintenance road right-of ways and lateral right of ways** will need to be protected. Also, any crossing agreements and piping agreements will need to be acquired from the **Bureau of Reclamation** to cross over the laterals, pipe the laterals or in regard to the encroachment of any nature on the right of ways.

The Black Canyon Irrigation District will require that the laterals affected by this proposed land change be piped and structures built to ensure the delivery of irrigation water to our patrons.

Furthermore, as long as this property has irrigation water attached to it, an irrigation system with an adequate overflow needs be installed to ensure the delivery of irrigation water to each lot and/or parcel of land entitled to receive irrigation water. The type of system will be determined through the review process with Black Canyon Irrigation District.

Runoff and drainage from the proposed land splits should be addressed as well to ensure downstream users are not adversely affected by the proposed land use changes.

474 ELGIN ST. - P.O. BOX 226 - NOTUS, ID 83656 - 208-459-4141 - FAX 208-459-3428

Black Canyon Irrigation & the Bureau of Reclamation will require a signed agreement be in place prior to any changes being made to any appurtenant irrigation facilities that are affected by the proposed land changes Note: BCID & BOR will require that this section be piped to our satisfaction. Furthermore, Black Canyon Irrigation & the Bureau of Reclamation may require additional modifications to ensure irrigation water is made available to patrons as this proposed project proceeds.

All of the above requirements shall be met, including any others that arise during future review.

If you have any questions, please contact me at 208-459-4141 Ext. 1.

Thank you,

A handwritten signature in blue ink, appearing to read 'Carl Hayes', with a long horizontal flourish extending to the right.

Carl Hayes
Manager, Black Canyon Irrigation District

Jennifer Almeida

From: Lenny Riccio <LRiccio@canyonhd4.org>
Sent: Thursday, February 27, 2020 11:22 AM
To: Jennifer Almeida
Subject: RE: Bullock Rd.

We do, approximately for 1,880' east from Cemetery/Bullock intersection. I believe there is a paved cul-de-sac that represents CHD4's limits of public road way.

Lenny Riccio, E.I.T.
Staff Engineer
Transportation Planner
Canyon Highway District No. 4
canyonhd4.org
15435 Hwy 44
Caldwell, ID 83607
Phone: (208) 454-8135
Fax: (208) 454-2008

From: Jennifer Almeida <jalmeida@canyonco.org>
Sent: Wednesday, February 26, 2020 10:36 AM
To: Lenny Riccio <LRiccio@canyonhd4.org>
Subject: Bullock Rd.

Lenny:

I just wanted to verify where Canyon Highway District maintains Bullock Rd. east of Cemetery. I am working on a plat (one lot) on R37412014 and wanted to make sure that the highway district doesn't maintain up to the property.



Jennifer Almeida, PCTD
Planner III
Canyon County Development Services Department

111 N. 11th Ave., #140, Caldwell, ID 83605
Direct Line: 208-455-5957
Fax: 208-454-6633

The property research information presented today by the Development Services Department (DSD) is based on the current ordinances and policies, in effect on the date of this summary, and based on your representations and information you have provided about the subject property. This information is valid only at the time of inquiry and may change when the subject property, ordinances, or policies change. The information becomes certain and not subject to change when DSD accepts an application and fees are paid. Changes to the subject property may invalidate this information.

Canyon Highway District No. 4
Staff Report: Echo Estate Subdivision
Preliminary Plat
Final Plat



June 3, 2020

Attachments

- Exhibit A- Vicinity Map
- Exhibit B- Preliminary Plat
- Exhibit C- Final Plat

General

Preliminary Plat and Final Plat (short plat) request was received for applicant Anson Echols. Request is to create a legal parcel for one single-family residential construction on 2.35 acres. No public road improvements are required. As a result, staff is requesting the Board to consider the preliminary plat and final plat applications concurrently.

Property was conditionally rezoned in 2019 and approved. CHD4 conditions of rezone were:

- Dedicate 40' of right-of-way from $\frac{1}{4}$ -section line
 - Classify right-of-way as closed
- Approach permit required
- No public improvements required.

Right-of-way of 40' from $\frac{1}{4}$ -section line was dedicated by deed in 2019. With the "closed" classification applicant may occupy and utilize right-of-way (including fencing) exclusive of permanent structures until such time a public road is extended.

Access

Bullock Road public ends approximately 160' west of the subject property. Access for property is provided by a gravel road that is located generally north of the $\frac{1}{4}$ -section line (shown by line type EG on the preliminary plat).

Legal access to Bullock Road public appears to be obtained by easements across private property.

Bullock Road

Right-of-Way

Previously dedicated by deed.

Improvements

40' right-of-way will remain classified closed until future development of the area warrants the reclassification of said right-of-way. At that time, road improvements by development shall occur consistent with a collector road.

No public improvements required—no improvement drawings required.

Recommendation

Staff reviewed the preliminary and final plat for conformity to the Highway Standards and Development Procedures. Staff recommends approval of the preliminary plat and final plat for Echo Estate Subdivision with no conditions.

Jennifer Almeida

From: Greg Timinsky <gttiminsky@starfirerescue.org>
Sent: Monday, July 13, 2020 3:23 PM
To: Jennifer Almeida
Subject: Re: Echo Estates - SD2020-0009

Jennifer,

The lot split was fine, you are correct that the Fire District will need to give them an access permit and have them demonstrate their water supply.

Thank you for asking!

Greg Timinsky
Fire Chief
Star Fire Protection District/Middleton Fire District
Office: (208) 229.9447
Cell: (208) 941.8898



From: Jennifer Almeida <jalmeida@canyonco.org>
Date: Monday, July 13, 2020 at 3:11 PM
To: Greg Timinsky <gttiminsky@starfirerescue.org>
Subject: Echo Estates - SD2020-0009

Greg:
Just reaching out to you on this case to see if the fire district has any comments on the project. Some of the neighbors are concerned about where a turnaround will be. I explained to them that once a building permit is applied for the fire district approval is required to be submitted with the application. If you have any comments on this one, let me know.



Jennifer Almeida, PCED
Planner III
Canyon County Development Services Department



Jennifer Almeida

From: Nancy Baker <nancy.piperhillfarm@gmail.com>
Sent: Tuesday, July 14, 2020 8:38 AM
To: Jennifer Almeida; Nancy Baker
Subject: RE: Echo Estate Plat

I am writing to let you know that we disagree with the survey specifically regarding to where they put our property line. We also request denial of the plat map at this meeting.

These are some of the important background points

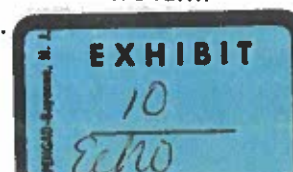
1. The surveyors did have their west pin and the south pin very close to where our surveyor's pins were so that is not an issue.
2. The surrounding property was at one time part of our farm...long before it was ours. And that the 80 acres surrounding our farm, was originally part of a 160-acre farm and was split off. We live in the farmhouse of the 80-acre parcel.
3. Next there was a split of 40 acres from the 80 acres. The 40 acres became the property of our neighbor across the street. The property line ran in the middle of Bullock Rd, to the canal road, ending at the Echo west pin. The big irrigation ditch irrigates that property and remained on our property.
4. Another set of splits were on the south side of our property. The Echo south pin is where the south-east corner of the property line began. When both properties were split off, the big south ditch (showing on plat map) and irrigation easement remained on our land, leaving their land free and clear of irrigation ditches or easements.

Points specific to the property line of our property and Echo

1. It has always been, from what we were told, that our property continues from the west pin, down the middle of the canal road to the south pin. This makes sense because that line would follow the curve of our land and the structure of the Echo land (ie, the Echo property drops down into a bowl like shape from the canal road). The pasture fencing was put up by the people who did the split to Echo. It also follows the curve of the land as does the big irrigation ditch and the canal road.
2. The property line as told to me when we purchased the property, also continues from the first 40-acre split boundary line, which is the middle of the road. Meaning for both split one and the current Echo split, the property line is in the middle of their respective roads.
3. That property line also continues the precedent set from the south splits which were done by the same people who split off Echo, that the irrigation ditches and easements remain on the 40-acre farm.
4. This means that the Echo/our property line should continue from the middle of Bullock to the middle of the canal road, following the curve of the road down to the south property line, inclusive of ditches and easements.
5. This property line that we were told (Echo/ours) is the only line that one can incorporate how the previous splits have occurred, continuing those precedents, as well as incorporating how the overall land structure (Echo a bowl below our property), with the curve of the property being the result of how the land lays. Meaning the canal road and irrigation ditches developed above the Echo bowl, and our pasture fencing above that...all placed due to the overall lay of the land.
6. However, that is not what the plat surveyors did. They started the property line below the curve rather than incorporating it into their rendering of the line, placing it instead at the south western point of the Bullock Rd extension.

The Bullock Rd extension appears to be on this plat newly delineated, but for us and our neighbors, it was only talked about as a future plan when surrounding land development required it.

The point is that we had not seen it permanently drawn on any prior surveys or discussions of the 80-acre farm nor 40-acre farm, nor our 7.5 acre farm, until they put it in the current Echo plat map, in 2020.



Since that extension had not existed on paper prior for the Echo property, how can it be used as part of a property line for property that was split off, in a shady sort of way.

This plat survey has a large, negative impact on our property line.

In sum, we disagree with the boundary line that is in the plat map. We believe that the boundary line starting at the west pin, should in fact follow the natural feature of the land (which has been there almost forever), and all the added landmarks that have followed the curve of the land (ditch, canal road, pastures and fencing) which have been there for a long long time. The property line should continue being put approximately in the middle of the canal road, as the owners had done with a previous split. And it should contain the big ditch entirely and some easement, again, ending up in the middle of the canal road.

We believe that the owners that split off the land for Echo, would have utilized these features for property division, following that curve, putting the property line in the middle of the canal road, as they had done in all their previous splits as well as all splits prior, **and not an arbitrary line put into the middle of a ditch.**

We request that this document be read at the meeting, and be included in the records of the meeting.

We request that the plat map be denied until the shared property line discrepancies can be resolved.

Larry Haviland
Nancy D Baker, PhD

From: [Jennifer Almeida](#)
Sent: Monday, July 6, 2020 3:07 PM
To: nancy.piperhillfarm@gmail.com
Subject: Echo Estate Plat

Nancy:

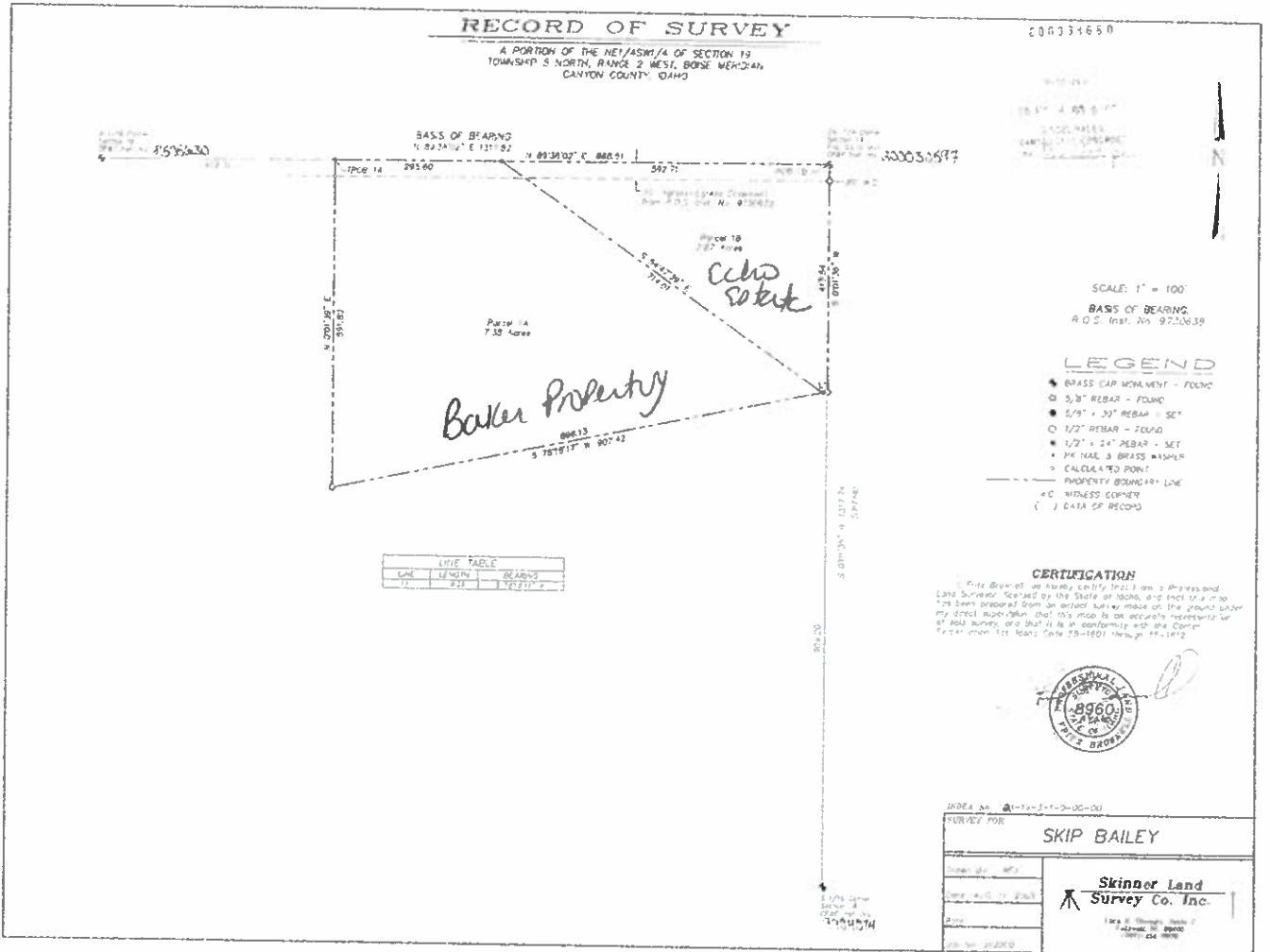
Attached is the Preliminary Plat for Echo Estates Subdivision



Jennifer Almeida, PCED
Planner III
Canyon County Development Services Department

111 N. 11th Ave., #140, Caldwell, ID 83605
Direct Line: 208-455-5957
Fax: 208-454-6633

Inst 2000-34660





Canyon County Planning & Zoning Commission

Echo Estate Subdivision

Development Services Department

Findings

1. The property is currently zoned "CR-RR" (Conditional Rezone/Rural Residential) and is subject to a development agreement (No. 19-065, Inst # 2019-022071).
2. The average minimum lot size in a "CR-RR" zone is two (2) acres. The proposed lot is approximately 2.35 acres adheres to the minimum lot size in the zone.
3. The subject property, parcel no. R37412014 is located approximately 2075 ft. east of the intersection of Cemetery Rd. and Bullock Rd., in the SW ¼ of Section 19, T5N, R2W, BM.
4. The proposed preliminary plat is in conformance with CCZO Article 17, Idaho Code, Sections 67-6512, 6509 and 6535 (Subdivisions, Hearings, Decisions, and Idaho Code, Sections 50-1301 through 50-1329 (Platting) and 31-3805 (Irrigation).
5. The property is not located within an area of city impact.
6. The lot will be served by an individual domestic well and individual septic system.
7. The subject property is located within Middleton School District, Middleton Fire District, Canyon Highway District No. 4, and Black Canyon Irrigation District.
8. Notice of the public hearing was provided in accordance with CCZO §07-05-01. Agency notice was provided on 5/14/20, Newspaper notice was provided on 6/16/20, property owners within 300' were notified by mail on 6/22/20, and the property was posted on 6/30/20.
9. The record includes all testimony received at the public hearing on 7/16/20, the staff report, exhibits, and documents in case file SD2020-0009.

Conclusions of Law

The Planning and Zoning Commission has the authority to hear this case and recommend that it be approved, denied or modified. The public notice requirements were met and the hearing was conducted within the guidelines of applicable Idaho Code and County ordinances.

Conditions of Approval

1. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained unless approved in writing by the local irrigation district or ditch company.
2. Finish grades at subdivision boundaries shall match existing finish grades. Runoff shall be maintained on subdivision property unless otherwise approved.
3. The development shall comply with Southwest District Health requirements.
4. The development shall comply with the requirements of Canyon Highway District No. 4.
5. The applicant shall meet the requirements of Black Canyon Irrigation District.
6. Prior to the Board of County Commissioner's signature on the final plat, a road user's maintenance agreement shall be recorded for the private portion of Bullock Rd., which is currently utilized by the





**CANYON COUNTY PLANNING & ZONING COMMISSION
MINUTES OF REGULAR MEETING HELD
Thursday, July 16, 2020
8:00 P.M.**

1ST FLOOR PUBLIC MEETING ROOM SUITE 130, CANYON COUNTY ADMINISTRATIVE BUILDING

Commissioners Present: Robert Sturgill, Chairman
Patrick Williamson, Vice Chairman
Sandi Levi, Secretary
Rick Fried, Commissioner
John Carpenter, Commissioner
Rick Hall, Commissioner

Staff Members Present: Patricia Nilsson, Director
Jennifer Almeida, Planner
Kellie George, Recording Secretary

Chairman Robert Sturgill called the meeting to order at 8:00 p.m.

Secretary Levi proceeded to the business item on the Agenda.

ACTION ITEMS

Case No. SD2020-0009: request by Anson Echols for approval of a Preliminary Plat and Final Plat for Echo Estate Subdivision. The development consists of one (1) residential lot and is located in a "CR-RR" (Conditional Rezone/Rural Residential) zone. The subject property, parcel no. R37412014 is located approximately 2075 ft. east of the intersection of Cemetery Rd. and Bullock Rd., in the SW ¼ of Section 19, T5N, R2W, BM.

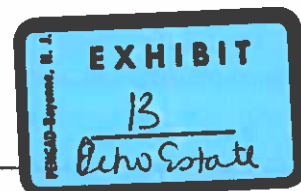
No conflicts were stated by the Commissioners.

Planner Jennifer Almeida stated there are three late exhibits, Exhibit 9 is a letter from Greg Timinsky of Star Fire District, Exhibit 10 is an email from Nancy Baker, and Exhibit 11 is a record of survey that was done on the applicant's and Baker's property. She presented the staff report. This is a one-lot subdivision that will use an individual well and septic system and the existing irrigation on the property. She reviewed the comments from agencies. Staff is recommending approval subject to the draft conditions of approval.

Commissioner Carpenter asked to review the record of survey (Exhibit 11). The Commission also reviewed Exhibit 10.

The late exhibits were entered into the record.

Anson Echols, 8021 Plumberry Court, Middleton, ID, testified as the applicant. He stood for questions from the Commission.



Jeff Beagley, Sawtooth Land Surveying, 2030 S. Washington Avenue, Emmett, ID, testified in favor of the application. He is the project surveyor. He stated there is no dispute regarding the boundary. The monuments that were found match the prior survey and were mirrored for this plat.

MOTION: Commissioner Hall moved to close public testimony on Case SD2020-0009, seconded by Commissioner Fried. Voice vote, motion carried.

MOTION: Commissioner Carpenter moved to recommend approval of the Findings of Facts, Conclusions of Law and conditions of approval for Case SD2020-0009, to the Board of Canyon County Commissioners. Motion seconded by Commissioner Hall. Roll call vote with 6 in favor and 0 opposed, motion carried.

Commissioner Williamson asked if tomorrow's hearing was with the P&Z. Jennifer Almeida replied it is a hearing before the Board of County Commissioners.

ADJOURNMENT:

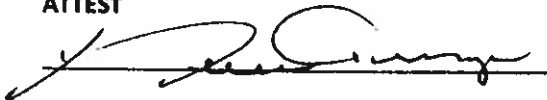
Commissioner Fried moved to adjourn. Commissioner Carpenter seconded the motion. Voice vote, motion carried. Meeting adjourned at 8:25 pm

Approved this 6th day of August, 2020



Chairman Robert Sturgill

ATTEST



Kellie George, Recording Secretary

Kellie George, Recording Secretary

O:\Planning & Zoning Commission\Minutes\2020 Minutes\7-16-20 Echo Estate draft minutes.docx