



BOARD OF COUNTY COMMISSIONERS
Edenbrook Estates – Preliminary Plat SD2021-0057

FINDINGS, CONCLUSIONS LAW, AND ORDER

Findings of Fact

1. The applicant Darin Taylor, Subdivision Maker, LLC representing the property owners Ryan and Heidi Walker, are requesting a Short Plat for Edenbrook Estates Subdivision. The proposal contains three (4.71 average lot size) single-family lots and one private road lot.
2. The request is being heard concurrently with a Conditional Rezone with Development Agreement for parcel R37921011 to change the designation of the property from “A” (Agricultural) to “CR-RR” (Conditional Rezone – Rural Residential).
3. The subdivision contains three (3) residential lots with in an average residential lot size of 4.71 acres.
4. Lot 4 is a private road lot that will provide the residential lots access to Goodson Road. Existing access consists of 60’ ingress/egress.
5. The property has surface irrigation rights. Irrigation will be provided via pressurized irrigation. (Attachment A, Irrigation Summary Note 1 and 3).
6. Storm water run-off shall be maintained on site by swales, ditches, and similar retention methods on-site by each lot owner (Attachment A, Plat Note 8 and 9).
7. Water and sanitary services will be provided via individual wells and individual septic systems (Attachment A, Plat Note 2 and 3).
8. Notice of the Board of County Commissioners public hearing was provided in accordance with CCZO §07-05-01. Agency notice was provided on August 30, 2024. Newspaper notice was published on September 17, 2024. Property owners within 600’ were notified by mail on August 30, 2024, and the property was posted on or before September 16, 2024.
9. At the October 22, 2024 public hearing, the Board of County Commissioners continued the public hearing to a date certain of November 20, 2024 to allow for time for an easement to be put in place and shown on the plat and the review by the County Engineering Department.
10. At the November 20, 2024 public hearing, the Board of County Commissioners continued the public hearing to a date certain of December 3, 2024 to allow time for the County Engineering Department to complete a final review.
11. At the December 3, 2024 public hearing, the Board of County Commissioners continued the public hearing to a date certain of December 11, 2024 to allow additional time for the County Engineering Department to complete a final review.
12. The record consists of exhibits as provided as part of the public hearing staff report, exhibits submitted during the public hearing, exhibits, and all documents contained in DSD case file number SD2021-0021.

Conclusions of Law

Pursuant to CCZO §07-17-09(5): Board Action: *“The board shall consider the commission’s recommendation at a noticed public hearing. The board shall base its findings upon the evidence presented at the board’s public hearing, and within thirty (30) calendar days declare its findings. It may sustain, modify or reject the recommendations of the commission and make such findings as are consistent with the provisions of this chapter and the Idaho Code. The findings shall specify:*

1. *The ordinance and standards used in evaluating the application;*
2. *The reasons for approval or denial; and*
3. *If denied, the actions, if any, that the applicant could take to gain approval of the proposed subdivision.”*

Standard of Review for Subdivision Plat:

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

The preliminary plat with irrigation and drainage plan are in conformance with CCZO Article 17, Idaho Code, Sections 67-6512, 6509 and 6535 (Subdivisions, Hearings, Decisions), Idaho Code, Sections 50-1301 through 50-1329 (Platting), Idaho Code, Section 31-3805 (Irrigation) and Canyon County Code Chapter 7, Article 17 (Subdivisions). The short plat (preliminary and final plat) were found to be complete by Keller Associates (Attachment B) subject to conditions of approval.

Conditions of Approval

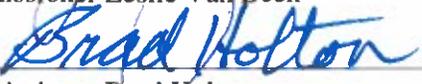
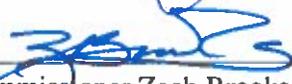
1. All subdivision improvements and amenities shall be bonded or completed prior to the Board of County Commissioner's signature on the final plat.
2. Historic irrigation lateral, drain, ditch flow patterns, and easements shall be maintained unless approved in writing by the local irrigation of ditch company (Attachment B).
3. Plat shall comply with Black Canyon Irrigation District requirements (Attachment B).
4. Finish grades at subdivision boundaries shall match existing finish grades. Run-off shall be maintained on subdivision property unless otherwise approved (Attachment B).
5. Plat shall comply with the requirements of Notus Parma Highway District No. 2 (Attachment B). Evidence of compliance shall by Notus Parma Highway District No. 2 signature on the final plat.
6. The development shall comply with Southwest District Health requirements (Attachment B). Evidence of compliance shall be Southwest District Health's signature on the final plat.
7. Private road shall adhere to private road requirements of section 07-10-03 of Canyon County Code. (Attachment B).
8. Applicant shall record easement on Lot 2, Block 1 of Edenbrook Estates for modified turn around for Edenbrook Lane. The easement shall be shown on the Final Plat with instrument number
9. The private road, Edenbrook Lane shall be paved prior to issuance of the 5th building permit that has access from the private road.

Order

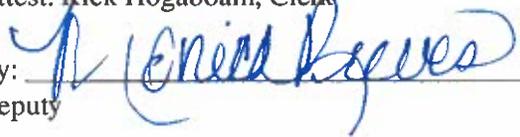
Based upon the Findings of Fact, Conclusions of Law contained herein for Case No. SD2021-0057, the Board of County Commissioners **approves** the preliminary plat for Edenbrook Estates Subdivision subject to conditions of approval as enumerated herein.

CANYON COUNTY BOARD OF COMMISSIONERS

- Motion Carried Unanimously
- Motion Carried/Split Vote Below
- Motion Defeated/Split Vote Below

	Yes	No	Did Not Vote
 _____ Commissioner Leslie Van Beek	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 _____ Commissioner Brad Holton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
 _____ Commissioner Zach Brooks	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Attest: Rick Hogaboam, Clerk

By: 
Deputy

Date: 12/11/24