



TO: BOARD OF ADA COUNTY COMMISSIONERS

HEARING DATE: December 14, 2016

STAFF: Brent Danielson, AICP, Associate Planner

PROJECT NO.: 201601186 A

APPLICANT: Patrick & Jolene Schow

AGENT: Brian McColl

INTRODUCTION

An appeal of the Director's decision for a private road. The property contains 27.150 acres and is located at 8479 N. Pierce Park Lane in Section 17, T. 4N, R. 2E.

EXECUTIVE SUMMARY

The appellant is requesting for the Board to overturn the Director's decision to approve a private road (Project #201601186 A). The appellant contends in the detailed letter (Exhibit #3) that the private road application is not needed because there is a parcel within Boise City limits that separates the terminus of the private road on the owner's property from the origination of the road on Sage Glenn Court and Boise City considers the road to be a driveway through the parcel that is in city limits and they do not have any requirements for driveways.

A private road is necessary as the Ada County Code specifically in **Section 8-4A-3** has standards that require frontage and access on a roadway for development to take place. Frontage is defined in the code as a property line along either: a) a roadway, or b) a permanent access easement to a public street that was of record prior to May 20, 1968, and has been established by a clear chain of title in subsequent recorded deeds. The subject property currently does not have frontage or access to either a public road or a private road. The access easement associated with the subject property was not of record prior to May 20, 1968. Therefore, a private road application was needed in order to provide the necessary frontage and access to the property because the subject property is under Ada County's jurisdiction and the Ada County Code requires a private road in order for development to take place on the property.

At the time the staff report was written the following agencies provided comments for the appeal: Ada County Building Official, Central District Health Department, Boise City Public Works Department, Boise City Public Works, Boise Fire Department, and Boise City Planning & Development Services Department. The Ada County Building Official replied in Exhibit #10 that the Building Division has no objection to the appeal of the proposed private road. The Central District Health Department stated in Exhibit #11 that they have no objections to this

proposal. The Boise City Public Works Department responded in Exhibit #12 with no comment. The Boise Fire Department replied in Exhibit #13 that they don't have any further comments beyond the attached letter from June 21, 2016. This letter states, that the proposed turnout depicted on the Schow Access Road drawing (Sheet C-1.0) is acceptable to the Boise Fire Department and it is expected that any future development of your property will include improving the driveway to match IFC requirements, including but not limited to a fire apparatus turn-around area near the end of the driveway. The Boise City Planning & Development Services Department responded in Exhibit #18 that the Schow's have met with them and the Schow's have received verbal guidelines for the private road. As long as the proposed private road does not trigger development activity the city would have no requirements. According to the Boise City Planning & Development Services Department remodeling an existing single-family home would not trigger the requirement for a new private road for them. They are supportive of the appellant's proposal.

RECOMMENDATION

Based upon Staff's review of the application, staff concludes that this application complies with the Ada County Code and recommends approval to the Board to deny the appeal and affirm the Director's decision to approve Project #201601186 PR as set out in the proposed Findings of Fact and Conclusions of Law attached hereto.

The Board should consider the evidence and testimony presented during the public hearing prior to rendering its decision concerning this application.

EXHIBIT LIST – PROJECT NO.: 201601186 A

- 1 Master Application Form. 2 pages.
- 2 Appeal Checklist. 2 pages.
- 3 Appellant's Detailed Letter & Supporting Materials. 14 pages.
- 4 Copy of the Findings of Fact and Staff Report for Project #201601186 PR. 78 pages.
- 5 Submittal Letter dated September 16, 2016. 1 page.
- 6 Vicinity Map. 1 page.
- 7 Aerial Map. 1 page.
- 8 Large Aerial Map. 1 page.
- 9 Agency Transmittal. 1 page.
- 10 Memorandum from the Ada County Building Official dated September 22, 2016. 1 page.
- 11 Agency Response from the Central District Health Department dated September 27, 2016. 1 page.
- 12 Agency Response from the Boise City Public Works Department dated September 28, 2016. 1 page.

- 13 Agency Response from the Boise Fire Department dated on October 7, 2016. 2 pages.
- 14 Radius Map. 1 page.
- 15 Mailing List. 1 page.
- 16 Radius Notice. 1 page.
- 17 Legal Notice of Public Hearing published on October 18, 2016. 2 pages.
- 18 Agency Response from the Boise City Planning & Development Services Department dated October 19, 2016. 2 pages.
- 19 Memo to the Board of Ada County Commissioners dated November 9, 2016. 3 pages.

TIME RECEIVED

September 9, 2016 5:09:40 PM MDT

REMOTE CSID

2083840442

DURATION

460

PAGES

18

STATUS

Received

09/09/2016 FRI 17:11 FAX 2083840442 Wilson McColl

001/018



MASTER APPLICATION/PETITION REQUEST

ADA COUNTY DEVELOPMENT SERVICES

200 W. Front Street, Boise, Idaho 83702. www.adaweb.net phone: (208) 287-7900 fax: (208) 287-7909

TYPE OF ADMINISTRATIVE APPLICATION:

- ACCESSORY USE*
- FARM DEVELOPMENT RIGHT
- FLOODPLAIN PERMIT
- HILLSIDE DEVELOPMENT*
- HIDDEN SPRINGS ADMINISTRATIVE
- HIDDEN SPRINGS SPECIAL EVENT
- LIGHTING PLAN
- LANDSCAPE PLAN
- DRAINAGE PLAN
- MASTER SITE PLAN*
- EXPANSION NONCONFORMING USE
- ONE TIME DIVISION
- PRIVATE ROAD
- PROPERTY BOUNDARY ADJUSTMENT
- PLANNED UNIT DEVELOPMENT (PUD)
- SIGN PLAN
- TEMPORARY USE*

TYPE OF HEARING LEVEL APPLICATION:

- CONDITIONAL USE
- DEVELOPMENT AGREEMENT
- SUBDIVISION, PRELIMINARY*
- PLANNED COMMUNITIES*
- SUBDIVISION, SKETCH PLAT*
- VACATION
- VARIANCE
- ZONING MAP AMENDMENT
- ZONING TEXT AMENDMENT

TYPE OF HEARING LEVEL PETITION:

- COMPREHENSIVE PLAN MAP OR TEXT AMENDMENT PETITION CHECKLIST

TYPE OF ADDENDA:

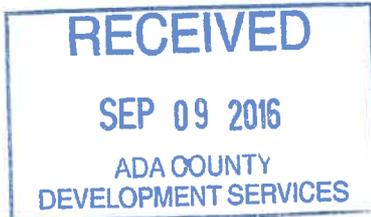
- APPEAL
- ADMINISTRATIVE MODIFICATION
- DEVELOPMENT AGREEMENT MODIFICATION
- FINAL PLAT
- TIME EXTENSION

REQUIRED SUBMITTALS:

- CHECKLIST for applicable application(s). If multiple applications, do not duplicate submittals.
- *SUPPLEMENTAL WORKSHEET REQUIRED

SITE INFORMATION:

Section: 17 Township: 4N Range: 2E Total Acres: 28
 Subdivision Name: _____ Lot: _____ Block: _____
 Site Address: 8478 N. Pierce Park Rd. City: Boise
 Tax Parcel Number(s): 50617244200; 50617244300; 50617214350
 Existing Zoning: RP Proposed Zoning: same Area of City Impact: Boise Overlay
 District(s): Wildland-Urban Fire Interface



OFFICE USE ONLY

Project #: <u>201601186-PR-A</u>	Planning Fees/GIS: <u>350.00</u>	Engineering Fees:
Received By: <u>[Signature]</u>	Date: <u>9.9.16</u> Stamped: <u>[Stamp]</u>	

[Signature]
VERSION 2013-09

APPLICANT/AGENT: (Please print)		ADDITIONAL CONTACT if applicable: (Please Print)	
Name: <u>PATRICK J JOLENS SCHOW</u>		Name: <u>BRIAN MCCOLL, Applicant</u>	
Address: <u>8478 N. Pierce Park Ln</u>		Address: _____	
City: <u>BODE</u> State: <u>WV</u> Zip: <u>26304</u>		City: <u>BODE</u> State: <u>WV</u> Zip: <u>26303</u>	
Telephone: <u>208-863-2152</u> Fax: _____		Telephone: <u>345-9102</u> Fax: _____	
Email: <u>jolenaschow@gmail.com</u>		Email: <u>brian.mccoll@ada.gov</u>	
I certify this information is correct to the best of my knowledge.		ENGINEER/SURVEYOR if applicable: (Please Print)	
Name: _____		Name: _____	
Address: _____		Address: _____	
City: _____ State: _____ Zip: _____		City: _____ State: _____ Zip: _____	
Telephone: _____ Fax: _____		Telephone: _____ Fax: _____	
Email: _____		Email: _____	
Signature: (Applicant) <u>[Signature]</u>		Signature: _____	
Date <u>9/17/16</u>		Date _____	

OWNER (S) OF RECORD: (Please Print)		OWNER (S) OF RECORD: (Please Print)	
Name: <u>Patrick Schow</u>		Name: <u>Joleen Schow</u>	
Address: <u>same as above</u>		Address: <u>same as above</u>	
City: _____ State: _____ Zip: _____		City: _____ State: _____ Zip: _____	
Telephone: _____		Telephone: _____	
Fax: _____		Fax: _____	
Email: _____		Email: _____	
I consent to this application, I certify this information is correct, and allow Development Services staff to enter the property for related site inspections. I agree to indemnify, defend and hold Ada County and its employees harmless from any claim or liability resulting from any dispute as to the statements contained in this application or as to the ownership of the property, which is the subject of the application.		I consent to this application, I certify this information is correct, and allow Development Services staff to enter the property for related site inspections. I agree to indemnify, defend and hold Ada County and its employees harmless from any claim or liability resulting from any dispute as to the statements contained in this application or as to the ownership of the property, which is the subject of the application.	
Signature: <u>[Signature]</u>		Signature: <u>[Signature]</u>	
Date <u>9/17/16</u>		Date <u>9/17/16</u>	

ALL OWNER(S) OF RECORD (ON THE CURRENT DEED) MUST SIGN (Additional Sheets are Available Online)

If the property owner(s) are a business entity, please include business entity documents, including those that indicate the person(s) who are eligible to sign documents.



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APPEAL CHECKLIST (ACC 8-7-7)

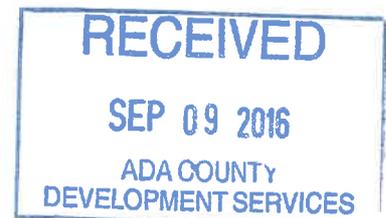
An Appeal request requires a public hearing.

GENERAL INFORMATION:

Applicant	DESCRIPTION	Staff
	Completed and signed Master Application	<input checked="" type="checkbox"/>
	DETAILED LETTER by the applicant fully describing the request or project and addressing the following:	<input checked="" type="checkbox"/>
	Reason for the Appeal. Be specific.	<input checked="" type="checkbox"/>
	File number of the original application.	
	Date of the written decision that is being appealed.	
	Who's decision is the appeal of? Director () Commission (<input checked="" type="checkbox"/>)	
	SUPPORTING MATERIALS. Literatures, studies, maps, display graphics, etc. in support of the appeal.	<input checked="" type="checkbox"/>
	DEMONSTRATE that the applicant is an affected person Idaho Code 67-6521 (1)(a)	
	MUST COMPLY WITH SIGN POSTING REGULATIONS (ACC8-7A-5)	
	APPLICATION FEE: Call County for Current Planning Fee or go to www.adaweb.net	<input checked="" type="checkbox"/>

paid by phone

APPLICATION WILL NOT BE ACCEPTED UNLESS ALL APPLICABLE ITEMS ON THE FORMS ARE SUBMITTED.



ADA COUNTY DEVELOPMENT SERVICES

200 W. Front Street, Boise, ID 83702. www.adaweb.net phone: (208)287-7900 fax: (208)287-7909



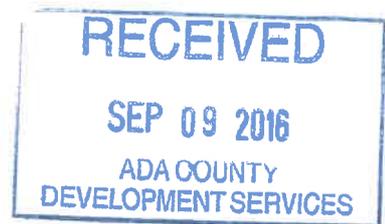
APPEAL CHECKLIST (ACC 8-7-7)

An Appeal request requires a public hearing.

GENERAL INFORMATION:

Applicant	DESCRIPTION	Staff
	Completed and signed Master Application	
	DETAILED LETTER by the applicant fully describing the request or project and addressing the following:	
	Reason for the Appeal. Be specific.	
	File number of the original application.	
	Date of the written decision that is being appealed.	
	Who's decision is the appeal of? Director () Commission ()	
	SUPPORTING MATERIALS. Literatures, studies, maps, display graphics, etc. in support of the appeal.	
	DEMONSTRATE that the applicant is an affected person Idaho Code 67-6521 (1)(a)	
	MUST COMPLY WITH SIGN POSTING REGULATIONS (ACC 8-7A-5)	
	APPLICATION FEE: Call County for Current Planning Fee or go to www.adaweb.net	

APPLICATION WILL NOT BE ACCEPTED UNLESS ALL APPLICABLE ITEMS ON THE FORMS ARE SUBMITTED.



**APPEAL TO THE ADA COUNTY BOARD OF COMMISSIONERS FROM
ADA COUNTY DEVELOPMENT SERVICES DIRECTOR'S FINDINGS OF
FACT, CONCLUSIONS OF LAW AND ORDER IN RE: APPLICATION OF
PATRICK AND JOLENE SCHOW, PROJECT NO. 201601186PR**

I. Background.

Patrick Schow purchased a residence on a 4.8 acre parcel in the vicinity of Pierce Park Ln. by deed dated July 27, 1982, from Lewis and Lynn McLin, which deed was not recorded until September 25, 1986. Subsequently, Patrick Schow acquired two contiguous unimproved parcels. He and his wife, Jolene Schow, occupied the residence built in 1975 on the combined 28.8 acre site¹ (the "Schow Parcel"). The Schow Parcel has historically been accessed by a driveway from Pierce Park Ln. In 2004, public street W. Sage Glenn Ct. was built. Thereafter, access to the Schow Parcel was over the portion of the driveway that connected W. Sage Glenn Ct., a public road, at its easterly cul-de-sac terminus, to the western boundary of the Schow Parcel. The section of the driveway to the Schow Parcel boundary is approximately 250 feet and then continues up the hill to the Schow residence. The driveway was improved with an approximately 11' wide paved road crossing a parcel owned by Terry W. Walther and Tracey H. Kehne (the "Walther Parcel") on a 30' easement (the "Original Easement"). THE ORIGINAL EASEMENT AND THE 11' ROAD BED IS LOCATED ENTIRELY ON THE WALTHER PARCEL, WHICH PARCEL IS IN BOISE CITY LIMITS. The Schow Parcel is in Ada County within the Boise City impact area.

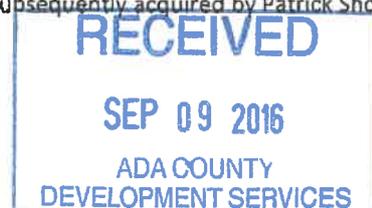
Sometime in 2015 the Schows decided to sell their home. In preparation for placing the home on the market they requested an opinion from Ada County Development Services ("ACDS") as to whether a potential buyer would be able to obtain a building permit to remodel the home. On May 19, 2015, ACDS issued a response to the Property Information Request No. 201500486-PIR ("PIR"), in which the Schows were advised:

"In order for the house to be remodeled and enlarged, a private road would need to be approved to provide the required frontage and access to the property. In addition, the property (4.8 acre parcel No. S0617244200) would need to be put back together prior to when the property was split so that the legal description for the property matches the legal description that was of record in the Ada County Recorder's office prior to January 1, 1985."²

The Schows were further advised that the 30' wide existing easement over the Boise City Walther Parcel would not provide legal access to either a public road or an approved private road. ACDS stated that the existing easement would need to be enlarged to 50' and a

¹ Previously three contiguous parcels: Parcel Nos. S0617244200, S0617244300 and S0617214350, assembled by Quitclaim Deed, Ada County Instrument No. 2016-055344.

² The home built in 1975 was constructed on a 14.15 acre parcel (zoned D-2, minimum lot size of one acre) that was subsequently split with the residence 4.8 acre parcel first deeded when Patrick Schow purchased the residence in 1982 - but recorded 1986. The remaining 9.87 acre parcel was subsequently acquired by Patrick Schow on 1/25/90.



road constructed on the 50' wide easement would need to comply with the County's design and construction standards for Private Roads set forth in section 8-4D of the Ada County Code.

Based on ACDS's response to the PIR, the Schows initiated the process of obtaining approval of a private road. The private road approval was not initiated for the purpose of developing any portion of the Schow Parcel. Rather, the Schows wanted to be able to represent to a potential purchaser that a building permit could be obtained to remodel the existing home. On February 25, 2016, the Schows and their legal counsel met with ACDS staff, Brent Danielson and Christy Inselman for a pre-application meeting. In the MEETING NOTES, ACDS continued to require that the Schows obtain private road approval in order to provide access and frontage to their property, that the easement underlying the proposed private road be 50' in width, and that the proposed private road must terminate in an approved turnaround.

Thereafter, the Schows obtained an expanded easement increasing the Original Easement to 50', Ada County Instrument No. 2016-039054 (the "New Easement"), and widened the road bed to 20', constructing the widened road bed to meet the construction standards set forth in ACC 8-4D-4. The original 11' section was already paved and the additional 9+/- fee is constructed with 6" of compacted 3"-4" crushed gravel (collectively the "Expanded Driveway"). The New Easement and the Expanded Driveway are depicted on the "Schow Access Road Plan," which plan is attached hereto as Exhibit A. The Schows obtained approval from Boise Fire for a turnout on the Schow Parcel at the point where the Expanded Driveway ends and connects with the driveway on the Schow Parcel. This turnout is depicted on the Schow Access Road Plan. It is not technically a turnaround.

II. The Decision. In the ORDER the Director approves Project No. 201601186PR "subject to the Conditions of Approval attached as Exhibit A."

A. Jurisdiction. In section C.4 of the Findings of Fact, the Director states:

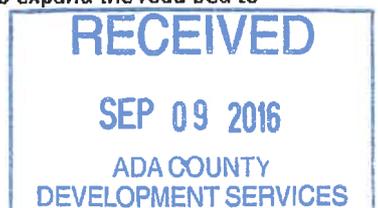
"The first section of the private road and the connection of the private road to the W. Sage Glenn Ct. is within the City Limits of Boise. Ada County does not have jurisdiction of the part of the road that is within Boise City Limits."

The Schows are in agreement with this finding.³ The Director lists 13 Conditions of Approval. In the preamble to the Conditions of Approval, the Decision states:

"IT SHOULD BE NOTED THAT THESE CONDITIONS OF APPROVAL DO NOT APPLY OT THE PORTION OF HTE PRIVATE ROAD THAT IS WITHIN BOISE CITY LIMITS."

On several occasions during the process, staff cautioned that because the road lay entirely in Boise City that *in addition* to meeting the private road requirements of the Ada County Code to

³ This finding was the first time Development Services indicated that they did not have jurisdiction over the private road. It was the Schows' understanding based on the County's previous representations and findings that they would be required to expand their easement across the Boise City property to 50', and to expand the road bed to 20', and to meet the construction requirements of ACC 8-4D.



provide frontage and access to the Schows' Parcel, the Schows should determine what additional requirements would be imposed by Boise City. For example, the MEETING NOTES state that:

"The existing private road (and extension) cross jurisdictions. It would be partially within the City of Boise and partially within the County. There may need to be multiple applications between the jurisdictions."

Heeding this caution, the Schows through their legal counsel had two meetings with Boise City. Both times, Boise City advised that any easement across a private property owner's parcel for the benefit of the Schow Parcel that does not contemplate a subdivision, planned unit development or other significant development, would not result in any requirements from the City. See the attached email chain dated 2/25/16 - 2/29/16 attached hereto as **Exhibit B** attached hereto. Specifically, the Schows' legal counsel emailed to staff as follows:

"I stopped by the City and talked to Associate Planner, Leon Letson, and his supervisor, Todd Tucker. Todd remembered that I had been in some months back and they both reiterated that either granting or, in this case, expanding the existing easement across a private property owner's parcel for the benefit of the Schows' Parcel does not trigger any development activity and the city would have no requirements, or assert any type of concurrent jurisdiction."

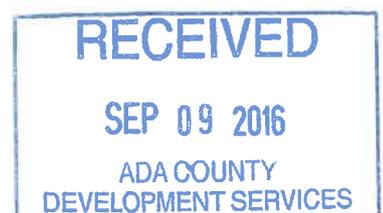
In a response to this email, ACDS staff replied to Schows' counsel:

"I was able to talk with Todd Tucker at the city and I also heard from the fire district. Todd reaffirmed what you mentioned in your email and that they did not have any concerns."

After reciting that the Conditions of Approval do not apply to any portion of the private road that is within the Boise City limits, the Director recites as the first two Conditions of Approval, the following:

- "1. The applicant and/or owner shall submit a revised site plan showing that the private road terminates at a forty-five foot (45') radius cul-de-sac, or other approved turnaround configuration, approved by the fire district and the Ada County engineer,
2. The applicant and/or owner shall revise the site plan to depict that the turnaround for the private road is to be located entirely on the Schows' property."

Basically, the Director is now only requiring a site plan with a turnaround and that the turnaround only fully comply with section 8-4D, together with its design and construction standards. Because the Director has found that the County does not have jurisdiction over the



proposed road, the portion of the Decision that continues to assert the jurisdiction over the "turnaround" section lying within the boundary of the Schow Parcel does not make sense to the Schows.

B. The Turnout/Turnaround. Because the Schows understood that they were required to improve the existing driveway to meet the requirements of section 8-4D (Private Roads), they were cognizant of section 8-4D-4.4, which requires:

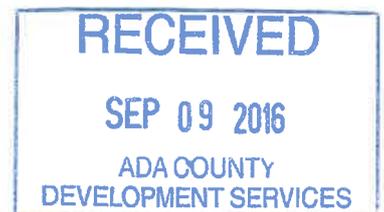
- "4. The private road shall terminate a forty-five foot (45') radius cul-de-sac or *other approved turnaround configuration*.
- (a) The turnaround *may be* located in an area of the property other than where the private road enters the property (see section 8-1A-2, Fig. 14 of this Title) . . . and (c) If the applicant proposes an alternate location and/or configuration for the turnaround, the following additional standards shall apply: (i) the applicant shall provide written approval from the appropriate fire district, (2) the county engineer shall review and approve the alternate location and/or configuration."

In the Schows' application they did not propose either a 45' cul-de-sac, or other IFC approved turnarounds. Instead, the Schows met with Boise City Fire Division Chief, Ron Johnson on site, and subsequently proposed constructing a 10'x30' turnout on the north side of their driveway at the point where the proposed private road terminates at the Schow Parcel boundary and continues on the existing driveway. The "turnout" is depicted on the Schow Access Road Plan and was constructed when the Schows expanded the road bed to 20'. Prior to undertaking this construction, the Schows obtained an approval letter (attached hereto as **Exhibit C**), that reads in its entirety as follows:

"I have reviewed the attached Schow Access Road drawing, Sheet C-1.0, prepared by Sage Engineering. It depicts a proposed turnout to be constructed at the point your new private road enters your property. This is acceptable to Boise Fire Department. It is expected that any future development of your property will include improving the driveway to match IFC requirements, including, but not limited to, a fire apparatus turnaround area near the end of the driveway."

In addition to obtaining the written approval of the fire district, the turnout depiction and construction standards were reviewed by the county engineer, Angela Gilman, prior to the Schows constructing the turnout and prior to the Schows submittal of the Application for Approval of the Private Road. ACDS staff, by email to the Schows' legal counsel, wrote on June 29, 2016 the following:

"Brian,



I forwarded the turnaround drawing to our county engineer Angela Gilman. She replied that she is good with it as long as the fire district is comfortable with it. We will need some written documentation from the fire district so that we can include it with the application file."⁴

III. Applicable Law/Argument.

This case presents a unique question: whether an access driveway and/or private road that crosses a Boise City parcel to provide access to a Boise County parcel should be built to the County's Article D (Private Roads) standards. Originally, based on the record, ACDS asserted the County requirements. Now, in the Decision, the Director has asserted that the County does not have jurisdiction over the Boise City Parcel. The County has clear requirements for private roads. Boise City also has clear requirements for private roads but those requirements are only applicable as part of a subdivision development and the City has no requirements with respect to a driveway access. The Schows made Application for Approval of the Private Road based on ACDS's position that the requirements of section 8-4D would be applicable, even if the only "development" proposed was a future building permit to modify the existing residence. Upon review of the Schows' application, the Director concluded that (a) the County had no jurisdiction over the portion of the proposed private road that connected W. Sage Glenn with the existing driveway on the Schows' property, but that (b) because a turnaround or turnout was proposed on the Schow Parcel, all of the Private Road requirements would apply to the turnaround, i.e. (i) that any portions of the turnaround with a grade of more than 5% should be paved (Condition of Approval No. 4); (ii) that a surface water runoff drainage design plan be approved by the County engineer (Condition of Approval No. 8); (iii) that the private road terminate at a 45' radius cul-de-sac or other approved turnaround (Condition of Approval No. 1); and (iv) that the turnaround for the private road be located entirely on the Schows' property (Condition of Approval No. 5). Either the County's private road requirements apply or they do not apply. Since the County concedes that they do not apply for the road connecting the public street to the driveway, there is no requirement that a road bed over Boise City property be expanded to 20', that it meet specified construction standards OR that it terminate in an approved turnaround. More significantly, even the Ada County Private Road standards do not require that the turnaround be constructed on the Ada County property as opposed to the Boise City property. Arguably, the Director's somewhat tortured findings were the result of the Schows filing their application. In other words, had the Schows not filed this application but merely subsequently applied for a building permit that resulted in ACDS requesting compliance with section 8-4D, at that point the Schows could have pointed out that the County did not have jurisdiction over their existing access that crossed Boise City property. In fact in the Director's Findings of Fact - H, this result is articulated by the Director:

⁴ The Ada County engineer subsequently reviewed the Schows' application and by memorandum dated July 27, 2016, recited ACE's Conditions of Approval more particularly set forth in Exhibit D attached hereto. In a follow up visit with Angela Gilman she stated that ACE's Conditions of Approval were based upon her presumption that Ada County had jurisdiction over the proposed private road. When it was pointed out to her that the private road was in Boise City, she admitted that none of her conditions of approval would be applicable and that if the turnout on the Schows' property was acceptable to Boise Fire it was acceptable to her, consistent with her earlier understanding.



"The Director finds section 8-4D-f of the Ada County Code is applicable *because the applicant has applied for a private road.*

This implies that if the Schows had not filed their Application for Private Road approval, the Ada County Private Road requirements would not necessarily be applicable. After reciting verbatim the subsections of 8-4D-4, including that there shall be a crown or transverse slope of 2% to drain water away from the travel way, the Director states:

"It should be noted that this is applicable only for the portion of the private road that is within Ada County's jurisdiction. Any improvements made in Boise City limits will need to be approved by the City."

VI. Ada County Code Applicability.

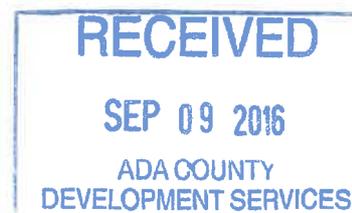
A. When is a Private Road required under the Ada County Code? The Private Road Article of Ada County Code is part of Title 8 - Ada County Zoning. Section 8-1-4 states:

"The regulations of this title shall apply to all unincorporated properties within Ada County and shall govern development and use of those properties."

Certainly the zoning ordinance applies to development use and the Schow Parcel. It is however an open question as to whether or not remodeling or otherwise adding on to the Existing Residence constitutes development. "Development" is defined in Title 8, as follows:

"DEVELOPMENT: Any construction or installation of a structure, or any change in use of a structure, or any change in the use, character, or appearance of land, that creates additional demand or need for facilities."

Simply remodeling a single-family residence that continues to be a single-family residence, and does not create any additional demand or need for public facilities, should not be construed as development. The Schows argue that the requirement of an approved private road should not occur where the only activity contemplated is remodeling a single-family home. This is consistent with the opinion of Boise City and the reason why Boise City has not sought to regulate the driveway that provides access to the Schow Parcel to W. Sage Glenn Ct. If obtaining a building permit did constitute "development" under the ACC and therefore trigger the applicability of Article D (Private Roads), the Director has determined - and the Schows concur - that the requirement for a private road, and its design and construction standards do not apply to the portion of the private road that is within Boise City limits. Furthermore, if Article D (Private Roads) does not apply, none of the standards set forth in section 8-4D-4 apply? This would include subsection 8-4D-4A.4, requiring that the private road terminate at a 45' cul-de-sac or other approved turnaround configuration. There certainly is no requirement that the driveway



in question further extend into the Schow Parcel with any turnaround. Since Article D does not apply to the Existing Driveway, it doesn't follow that Article D requires a turnaround on the Schow Parcel. From a practical perspective, the Existing Driveway has already been constructed to the Ada County standards except for a turnaround. As either a private road or as simply an improved driveway, the Expanded Driveway is private in nature and the Schows intend to further improve the road to meet the Ada County Highway District's approved street/driveway signage. Any member of the public traveling to the end of W. Sage Glenn Ct. is not entitled to continue on to the private driveway, but is afforded by the W. Sage Glenn Ct. cul-de-sac an ample turnaround. Arguably the Article D (Private Roads) section dealing with a turnaround is for the benefit of emergency vehicles. Even though ACDS is waiving jurisdiction, the Schows have proposed and built a 10'x30' turnout that meets the requirements of Boise Fire and the Ada County engineer.

V. Conclusion.

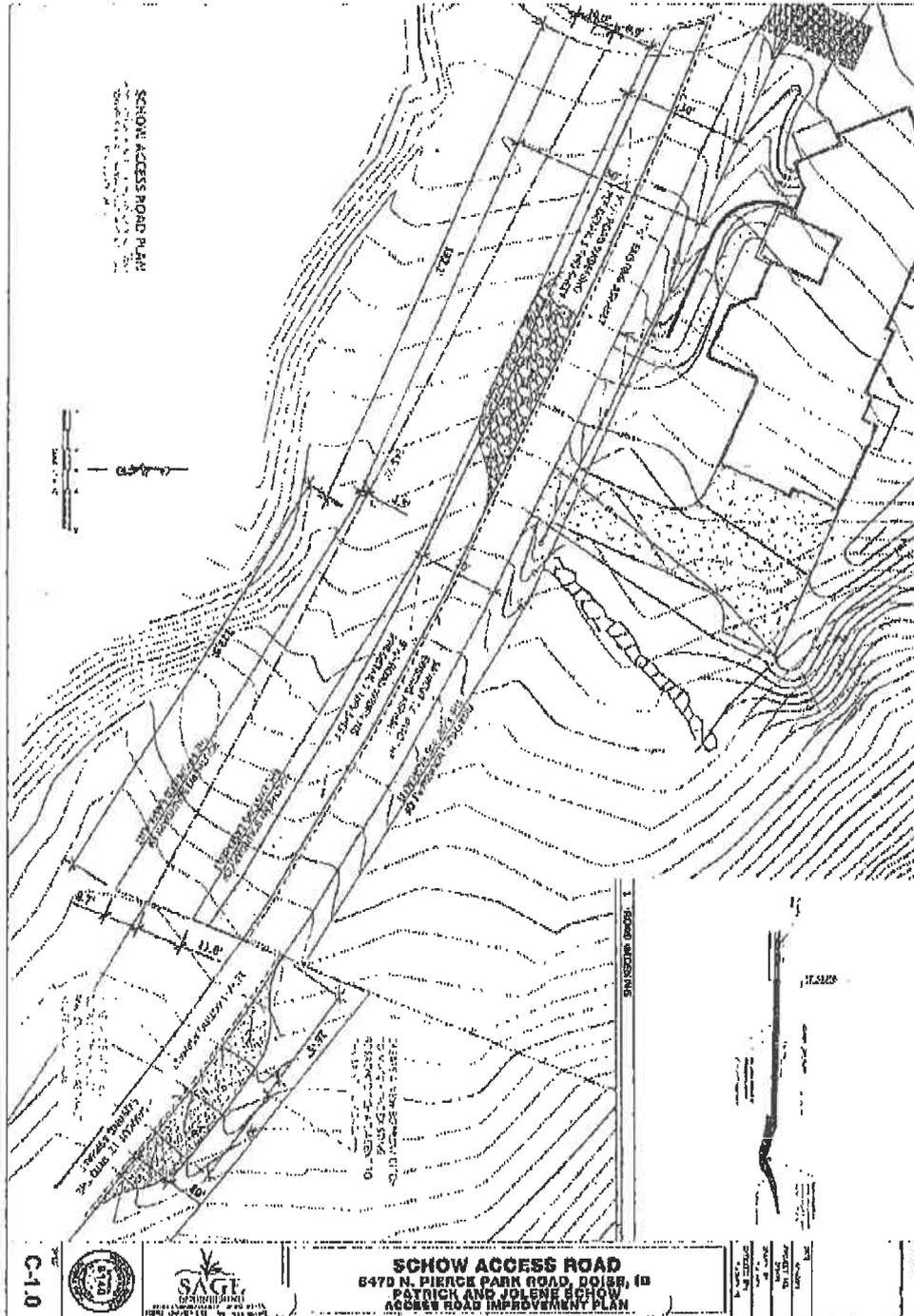
Because the Expanded Driveway is within the city limits of Boise, the Schows' Application for a Private Road is not required for the continued use as a single-family residence. Any future application for a building permit to remodel the Existing Residence should meet the requirements of Title 7 of the Ada County Code, but Article D, Chapter 4 of Title 8 should not be asserted by ACDS for any portion of the existing Expanded Driveway as built. The Schows request that the Ada County Board of County Commissioners enter such of a finding, remanding the matter to the Director to make modifications to the Director's Decision consistent with this result. The Schows have already completed most of the requirements for a "Private Road" designation. They intend and agree not to reverse these improvements, including obtaining and recording the 50' easement and installing the expanded 20' road bed. The 10'x30' turnout on the Schow Parcel, approved by the fire department, will also remain. Furthermore, the Schows intend to meet the requirements of the Ada County Highway District at the point of connection of the private road to the public street, although ACHD's requirements would generally only be triggered if the Schows were seeking an approved private road.

Respectfully submitted.

By Brian F. McColl
Brian F. McColl, Attorney for the Schows
Date: 9/9/16



EXHIBIT A Schow Access Road Plan



C-1.0



SAGE
ENGINEERING, INC.
REGISTERED PROFESSIONAL ENGINEER
NO. 123456789
IDAHO STATE BOARD OF ENGINEERING

SCHOW ACCESS ROAD
8470 N. PIERCE PARK ROAD, BOISE, ID
PATRICK AND JOLENE SCHOW
ACCESS ROAD IMPROVEMENT PLAN

DATE: 09/09/2016
BY: [Signature]
CHECKED BY: [Signature]

RECEIVED
SEP 09 2016
ADA COUNTY
DEVELOPMENT SERVICES

EXHIBIT B

Email Chain

From: Brent Danielson [mailto:bdanielson@adaweb.net]
Sent: Monday, February 29, 2016 10:27 AM
To: Ronni Christianson; Jolene Schow (joleneschow@gmail.com)
Cc: Brian McColl; Mark Perfect
Subject: RE: Schow Private Road

Brian and Jolene,

I was able to talk with Todd Tucker at the City and I also heard from the Fire District. Todd reaffirmed what you mentioned in your e-mail and that they did not have any concerns.

The Fire District mentioned that they have some concerns with the private road (access) along with water supply availability and that they would encourage for you to come in and talk with them. Ron Johnson is the individual at the Fire District that you would want to meet and talk with. He can be reached at 570-6571 or via e-mail at rjohnson@cityofboise.org.

Mark and I would be more than willing to meet with you.



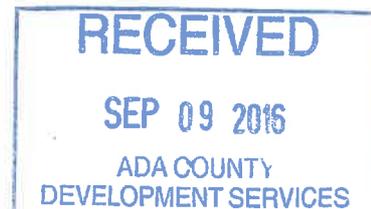
**Ada County
2025**

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Brent Danielson,
AICP
Associate Planner

Ada
County Development
Services
200 W. Front St.,
Boise, ID 83702
(208) 287-7913 office
(208) 287-7909 fax

<http://www.adacounty2025.com>



From: Ronni Christianson [mailto:ronni@wilsonmccoll.com]
Sent: Thursday, February 25, 2016 5:09 PM
To: Brent Danielson; Jolene Schow (joleneschow@gmail.com)
Cc: Brian McColl
Subject: RE: Schow Private Road

Brent,

I stopped by the City and talked to Associate Planner Leon Letson, and his supervisor Todd Tucker. Todd remembered that I had been in some months back and they both reiterated that either granting or, in this case, expanding the existing easement across a private property owner's parcel for the benefit of the Schows' parcel does not trigger any development activity and that the City would have no requirements, or assert any type of current jurisdiction.

On a related matter, Jolene was planning on contacting the fire district to see what dimensional requirements there will be for a hammerhead type turnaround where the proposed approved private road enters the property.

Any suggestion that would require the private road to go beyond the Schows' property line, or in to the property, any particular distance is a significantly different requirement than had been discussed. Other than providing access and frontage, I would respectfully disagree with a conclusion that my clients would have to construct a private road all the way to their house. Article D of ACHD speaks in terms of access to the property (8-4D-1; and 8-4D-4). The Code requires that the private road be constructed on a perpetual access easement, which is the assumption that we have been working under. Requiring the Schows to construct a 24' wide driveway on their own property to their house would be prohibitively expensive and not, in my view, required by the Code. Please impress upon Mark that no development activity is contemplated, and all that Dr. and Mrs. Schow want is to have any buyer be able to get a building permit to modify the existing home that has been there since 1976.

If it would be helpful to have another meeting with you and Mark, please let me know.

Brian

PLEASE NOTE BRIAN MCCOLL'S OFFICE HAS A DIRECT LINE NOW.

Ronni Christianson

Legal Assistant to Brian F. McColl

WORST, FITZGERALD & STOVER, PLLC

OF COUNSEL

WILSON & MCCOLL



3858 North Garden Center Way, Suite 200

Boise, ID 83703

P.O. Box 1544, Boise, ID 83701-1544

(208) 345-9100 | Fax: (208) 384-0442

Brian McColl's direct line 208-345-9102

ronni@wilsonmccoll.com

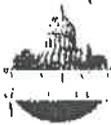
www.magicvalleylaw.com

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DEVELOPMENT SERVICE

EXHIBIT C
Boise Fire Department Approval Letter



Fire Department

Dennie Dean
Chief

City Hall West
333 N. Mark Stall Place
Boise, Idaho 83704-0014

Phone
208/570-6500

Fax
208/570-6506

TDD/TTY
208/377-3529

Web
www.cityofboise.org/fire



Mayer
David H. Mayer

Council
Maryanne Jordan

Council Pro Tem
David Phele

Aidan Clegg
Travis McClain
TJ Thomson
Ben Christensen

June 21, 2016

Patrick and Jolene Schow
8478 N. Pierce Park Ln.
Boise, ID 83714

Re: Schow Access Road

Dear Pat and Jolene,

I have reviewed the attached Schow Access Road drawing, Sheet C-1.0, prepared by Sage Engineering. It depicts a proposed turnout to be constructed at the point your new private road enters your property. This is acceptable to Boise Fire Department. It is expected that any future development of your property will include improving the driveway to match IFC requirements, including but not limited to a fire apparatus turn-around area near the end of the driveway.

Regards,

Ron Johnson
Division Chief – Assistant Fire Marshal
Boise Fire Department

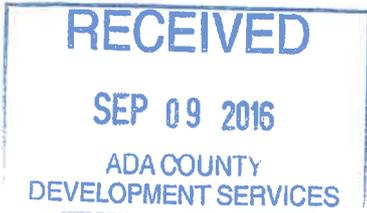


EXHIBIT D

MEMORANDUM



DATE: July 27, 2016

RE: File 201601186 PR - Application for private road off 8478 N. Pierce Park Rd, Boise, ID

TO: Brent Danielson, Associate Planner

FROM: Angela Gilman, Ada County Engineer

CC:

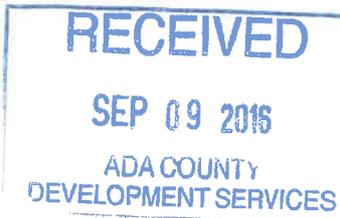
Brent,

Per your request I have reviewed the project referenced above. The documents reviewed include:

- Master Application
- Detailed Letter
- Private Road Plan Sheet C-1.0
- Pre-application meeting notes

My comments and Conditions of Approval are as follows:

1. An emergency turnaround is referred to where the road enters the Schow property, but there is no turnaround shown on the plan sheet, only a vehicle turnout. Clarify where the turnaround is to be located and what configuration it will have.
2. The detailed letter states that the road will not be paved. Per Ada County code, any segment of a travelway of a private road greater than 5% shall be improved with asphalt or concrete pavement. Based on the contour lines shown on the plan sheet it appears the grade is approximately 9%. Revise the plan sheet to reflect the required paving.
3. The road widening appears to result in storm drainage collecting on the adjacent property to the south. The plan sheet doesn't show how the drainage from the widening will be dealt with on the south side or at the existing cul-d-sac. The typical section only shows a borrow ditch on the uphill side of the roadway, nothing on the downhill side. Additionally the borrow ditch surface, shown as native ground, is likely not stable enough to resist erosion during a rain event. Provide a drainage study and detailed grading plans to address these drainage issues.
4. The end of the 20' wide private road section ends abruptly at the Schow property boundary. This termination is unsafe. The termination needs to end in a roadway taper on the Schow property or with a permanent type III traffic barricade.
5. An approved turnaround of the Private Road on the Show's property needs to be included within the easement description for said Private Road.
6. The extents of the Private Road easement will need to be monumented, and a Record of Survey filed to show said easement and monumentation. This is based on I.C. 54-



1207(11)(II)(3) Definition of "Professional Land Surveying" and a recent IPELS Board decision regarding the monumentation of easements.

- 7. The post-type of the Private Road name will need to be "Lane".
- 8. Applicant shall notify the County Engineer when construction on the project is completed, to schedule a Final Inspection of the improvements.
- 9. At the conclusion of the approved project, the Engineer of Record shall submit a report to the Director stating that all work has been executed in compliance with the approved plans.

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SEP 09 2016
ADA COUNTY
DEVELOPMENT SERVICES



Megan M. Leatherman, MCRP
Director

Ada County Courthouse
200 West Front Street
Boise ID 83702
208.287.7900
Fax 208.287.7909
www.adacounty.id.gov

Department Divisions
Building
Engineering & Surveying
Permitting
Planning & Zoning

Ada County Commissioners
Jim Tibbs, First District
Rick Yzaguirre, Second District
David L. Case, Third District

ADA COUNTY
Development Services Department

August 25, 2016

Patrick & Jolene Schow
8478 N. Pierce Park Lane
Boise, ID 83714

RE: PROJECT #201601186 PR: SCHOW

Dear Mr. & Mrs. Schow,

Submission of the application referenced above, Project #201601186 PR, for a private road occurred on July 12, 2016.

Based on staff's review of the Ada County Code, this application has been given tentative approval, subject to the Conditions of Approval attached to the Findings of Fact, Conclusions of Law and Order listed as Exhibit "A". Please note, this approval shall become null and void if the Conditions of Approval have not been met, and if you have not obtained a Final Approval Letter within one (1) year of the date of this approval letter.

This determination was made based upon current information contained in the public record and interpretation of the Ada County Zoning Ordinance. You may appeal this decision to the Board of Ada County Commissioners. To do so, you must file the appeal within fifteen days of the date of this letter. The fee for filing an appeal is \$350.

This letter is to further inform you that to the extent a final decision has been made on a site-specific land use request, an applicant has the right to request a regulatory taking analysis under Idaho Code.

If you have any questions, I can be reached 287-7913 or via email at bdanielson@adaweb.net.

Sincerely,

Handwritten signature of Brent Danielson in cursive.

Brent Danielson, AICP, Associate Planner
Ada County Development Services

Cc: Brian F. McColl, 3858 N. Garden Center Way, #200, Boise, ID 83703

EXHIBIT 4
Page 1 of 78
Project # 201601186 A



BEFORE THE DIRECTOR OF ADA COUNTY DEVELOPMENT SERVICES

In re:

Application of Patrick & Jolene Schow

Project No. 201601186 PR

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

FINDINGS OF FACT

If any of these Findings of Fact are deemed Conclusions of Law, they are incorporated into the Conclusions of Law section.

A. The Director finds that the record is comprised of:

1. Exhibit A to the Findings of Fact, Conclusions of Law and Order.
2. All other information contained in Ada County Development Services File for Project No. 201601186 PR.

B. As to procedural items, the Director finds the following:

1. On July 12, 2016, submission to Development Services occurred for Project #201601186 PR.
2. On July 20, 2016, staff notified other agencies of this application and solicited their comments.
3. On July 20, 2016, property owners within 1,000 feet of the site were notified of the application by mail.

C. As to the project description, the Director finds based on the application materials found in the file for Project No. 201601186 PR the following:

1. PROPOSED USES: Private Road.
2. PROPOSED STRUCTURES: The application did not indicate if there are any proposed structures.

3. PROPOSED SITE IMPROVEMENTS: Turnaround for the private road.
4. OTHER: The first section of the private road and the connection of the private road to Sage Glenn Court is within the City Limits of Boise. Ada County does not have jurisdiction of the part of the road that is within Boise City Limits.

D. Based on the materials found in the file for Project No. 201601186 PR, the Director finds the following concerning the project description:

1. PARCEL NUMBER AND LOCATION: The Schow property consists of Parcels #S0617244200, S0617244300, and S0617214350. The property is generally located east of Pierce Park Lane in Section 17 of T. 4N, R. 2E.

2. OWNERSHIP: Patrick & Jolene Schow.

3. SITE CHARACTERISTICS

Property size: Approximately 28 acres.

Existing structures: A 2,200 square foot single-family dwelling and a 1,000 square foot accessory structure.

Existing vegetation: Sagebrush, native grasses and shrubs, and residential landscaping.

Slope: The property consist of slopes greater than 15%.

Irrigation: The property is not irrigated with the exception of the residential yard and the property is not located in an irrigation district.

Drainage: The property generally drains towards the west.

Views: Portions of the site are visible from adjacent properties.

Other Opportunities and/or Constraints: The property has slopes greater than 15%.

E. Based on the officially adopted Ada County land use maps, the Director finds the following concerning the current land use and zoning:

The property is rural residential and is zoned Rural Preservation (RP).

F. Based on the officially adopted Ada County land use maps, the Director finds the following concerning the surrounding land use and zoning:

North: The site is rural residential and is located in the City of Boise in their Single Family Residential (R-1A) District.

South: The site is rural residential and is located in Rural Preservation (RP) District.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Project #201601186 PR
Patrick & Jolene Schow

EXHIBIT 4
Page 3 of 78
Project # 201601186 A

East: The site is rural residential and is located in the City of Boise in their Single Family Residential (R-1A) District.

West: The site is rural residential and is located in the City of Boise in their Single Family Residential (R-1A) District.

- G. Based on the officially adopted Ada County land use maps and materials found in the file for Project No. 201601186 PR, the Director finds the following concerning services:

Access Street and Designation: The proposed private road originates from W. Sage Glenn Court, which is designated as local street.

Fire Protection: North Ada County Fire & Rescue District.

Sewage Disposal: Individual Septic System.

Water Service: Individual Well.

Irrigation District: None.

Drainage District: None.

- H. As to the applicable law, the Director finds the following:

This section details the comp plan goals, objectives and policies; the zoning ordinance regulations; and other applicable standards regarding development of the subject property.

1. The Director finds **Article 8-3B of the Ada County Code** is applicable because the property is located in the Wildland-Urban Fire Interface Overlay District. The Director finds the application complies with **Article 8-3B of the Ada County Code**. As conditioned, the private road shall terminate at a forty five foot (45') radius cul-de-sac or other approved turnaround configuration by the County Engineer and the Fire District. Also as conditioned, the area encompassed by the travelway plus five feet (5') on each side of the travelway, measures from the outside edge of the travelway, shall be cleared of all flammable vegetation. The Boise Fire Department provided the property owners a letter that the private road is acceptable to the Boise Fire Department and that it is expected that any future development of your property will include improving the driveway to match IFC requirements, including but not limited to a fire apparatus turnaround area near the end of the driveway. The applicant has stated in their detailed letter that five (5) feet on each side of the private road shall be cleared of all vegetation and this maintenance obligation is contained in the Easement.
2. The Director finds **Section 8-4D-5 of the Ada County Code** is applicable because the applicant has applied for a private road. The Director finds that the application complies with **Section 8-4D-5 of the Ada County Code**. Regarding Section 8-4D-5 the Director finds the following:
 - A. *The design of the proposed private road meets the requirements of this article;*

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Project #201601186 PR
Patrick & Jolene Schow

EXHIBIT 4
Page 4 of 78
Project # 201601186 A

The Director finds that the design of the proposed private road meets the requirements of **Section 8-4D-4A and Section 8-4D-4B**. Regarding Section 8-4D-4A (Design Standards) and Section 8-4D-4B (Construction Standards) the Director finds the following:

- *Subsection 8-4D-4A1 – The private road shall be constructed on a perpetual access easement or a single platted lot that originates from a public street.*
 - a. *Outside an area of city impact, the easement or lot shall be a minimum of thirty feet (30') in width. Inside an area of city impact, the easement or lot shall be a minimum of fifty feet (50') in width.*
 - b. *If located on a lot, the primary function of the lot shall be to accommodate the private road. Minimum parcel size requirements shall not apply.*

The Director finds as evidenced in the record that the proposed private road is located within Boise City's Area of Impact. As shown on the site plan the private road will be constructed on a fifty (50) foot perpetual access easement, which is the minimum easement required for private roads in an area of city impact.

- *Subsection 8-4D-4A2 – All properties abutting an approved private road shall have the same minimum required street frontage as required by the applicable base district, except: If the turnaround for the private road is located within a property as illustrated in section 8-1A-2, "Figure 14", of this title, the required frontage shall be thirty feet (30') (the width of the private road easement).*

The Director finds as conditioned that a revised site plan needs to be submitted that depicts the turnaround for the private road to be located entirely on the Schow's property.

- *Subsection 8-4D-4A3 – The point of connection of the private road and the public street shall be approved by the Ada County Highway District.*

The Director finds that the point of connection of the private road to the public street is located within Boise City limits. The Ada County Highway District provided site specific conditions for the point of connection of the private road to the public street. 1. Pave the private roadway a minimum of 20 to 24-feet wide and at least 30 feet into the site beyond the edge of pavement of Sage Glenn Court. 2. Install street name and stop signs for the private road. The signs may be ordered through ACHD. Verification of the correct, approved name of the road is required. 3. A Traffic Impact Fee may be assessed by ACHD and will be due prior to issuance of a building permit. Please contact the ACHD Planner (Austin Miller) for information regarding impact fees. 4. Plans shall be submitted to the ACHD Development Review Department for plans acceptance, and impact fee assessment (if an assessment is applicable). 5. Comply with their Standard Conditions of Approval.

- *Subsection 8-4D-4A4 – The private road shall terminate at a forty five foot (45') radius cul-de-sac or other approved turnaround configuration.*

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

- a. *The turnaround may be located in an area of the property other than where the private road enters the property (see section 8-1A-2, "Figure 14", of this title).*
- b. *The private road shall not intersect a public road, except at its origination point. The private road shall not intersect another private road.*
- c. *If the applicant proposes an alternate location and/or configuration for the turnaround, the following additional standards shall apply:*
 - (1) *The applicant shall provide written approval from the appropriate fire district.*
 - (2) *The county engineer shall review and approve the alternate location and/or configuration.*

The Director finds as conditioned that the applicant and/or owner shall submit a revised site plan showing that the private road terminates at a forty five foot (45') radius cul-de-sac or other approved turnaround configuration approved by the fire district and the Ada County Engineer.

The Director finds as shown on the site plan that the proposed private road does not intersect a public road except at its origination point.

- *Subsection 8-4D-4A5 – New gates or other travelway obstacles shall not be allowed except in exceptional circumstances when the director determines the gate or gates are necessary to improve safety or to halt environmental degradation in the area. Before approving a new gate or other obstacle, the director shall provide the fire district, or if no fire district, the Ada County sheriff, with advice from the Idaho state fire marshal's office, the opportunity to review the proposal and offer recommendations.*
 - a. *Approved gate openings shall be a minimum of twenty feet (20') wide, be located a minimum of thirty feet (30') from the public right of way, and when the gate is open, the travelway, for its entire width shall be clear and unobstructed.*
 - b. *Gates located on one-way roads shall open in the same direction that traffic moves. Gates located on two-way roads must open in both the directions that traffic moves. Gates that open upward shall not be allowed.*
 - c. *Gates shall have a fail-open lock in the event of a loss of power.*

The Director finds as evidenced in the record that there are no gates or other travelway obstacles proposed for the private road.

- *Subsection 8-4D-4A6 – No segment of the travelway of a private road shall be exceed ten percent (10%) grade. Fire apparatus roadways in locations that front buildings, at intersections with other roads, and in front of fire hydrants shall not exceed eight percent (8%) grade.*

The Director finds as shown on the site plan that no segment of the travelway of the private road exceeds ten percent (10%) grade.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

- *Subsection 8-4D-4A7 – If the private road is located within the wildland-urban fire interface overlay district, the additional design standards in section 8-3B-3 of this title shall apply.*

The Director finds as evidenced in the record that the private road is located within the Wildland Urban Fire Interface Overlay District and that the private road complies with the additional design standards listed in Section 8-3B-3 of this title. As conditioned, the area encompassed by the travelway plus five feet (5') on each side of the travelway, measured from the outside edge of the travelway, shall be cleared of all flammable vegetation.

- *Subsection 8-4D-4A8 – Upon review of the proposed private road design, the applicant may be required to submit a drainage study prior to action on the private road application.*

The Director as conditioned that the applicant and/or owner shall submit a drainage study. The County Engineer stated that the road widening appears to result in storm drainage collecting on the adjacent property to the south. The plan sheet doesn't show how the drainage from the widening will be dealt with on the south side or at the existing cud-de-sac. The typical section only shows a borrow ditch on the uphill side of the roadway, nothing on the downhill side. Additionally, the borrow ditch surface, shown as native ground, is likely not stable enough to resist erosion during a rain event. Provide a drainage study and detailed grading plans to address these drainage issues.

- *Subsection 8-4D-4B1 – Private roads that will serve development located within an area of impact and that development will exceed a density of three (3) dwelling units per acre shall be constructed to the Ada County highway district standards for urban local roads.*

The Director finds that the private road will not exceed a density of three (3) dwelling units per acre.

- *Subsection 8-4D-4B2 – All other private roads not defined in subsection B1 of this section shall be constructed to the following standards:*

- Private roads that will provide frontage or access to four (4) or fewer properties shall have a travelway with a minimum improved width of twenty feet (20'). Private roads that will provide frontage or access to more than four (4) properties shall have a travelway with a minimum improved width of twenty four feet (24').*

The Director finds that the private road will provide frontage and access to the Schow property. However, two (2) other properties have driveways that take access off the private road (Schwartzman & Broz). At this time, research has not been done to determine if the Schwartzman and Broz properties comply with the Ada County Code standard for required frontage.

- The travelway shall have a stable, compacted base.*

The Director finds as conditioned that the travelway shall have a stable, compacted base.

- c. *There shall be a crown or transverse slope of two percent (2%) to drain water away from the travelway.*

The Director finds as conditioned that there shall be a crown or transverse slope of two percent (2%) to drain water away from the travelway. As conditioned, a revised cross section drawing needs to be submitted that shows that the crown or transverse slope is at least 2%. The Road Widening drawing on the Schow Access Road Plan shows a 1% to 4% transverse slope to a borrow ditch. The Ada County Engineer in her response mentioned some concerns regarding drainage of the proposed private road. She mentions that the road widening appears to result in storm drainage collecting on the adjacent property to the south. The plan sheet doesn't show how the drainage from the widening will be dealt with on the south side or at the existing cul-de-sac. The typical section only shows a borrow ditch on the uphill side of the roadway, nothing on the downhill side. Additionally the borrow ditch surface, shown as native ground, is likely not stable enough to resist erosion during a rain event. The County Engineer is requiring a drainage study and detailed grading plans to address these drainage issues. It should be noted that this is only applicable for the portion of the private road that is within Ada County's jurisdiction. Any improvements made in Boise City Limits will need to be approved by the City.

- d. *The improved surface shall consist of six inches (6") of compacted three-fourths inch (3/4") minus crushed gravel or other materials approved by the county engineer. Private roads that provide frontage and/or access to more than four (4) properties shall be paved with 2.5 inches of asphaltic concrete.*

The Director finds that the private road within Ada County will provide frontage or access to three (3) properties.

- e. *Any segment of a travelway of a private road greater than five percent (5%) grade shall be improved with asphalt or concrete paving.*

The Director finds as conditioned that segments of the private road with a travelway greater than five percent (5%) grade shall be improved with asphalt or concrete paving. The Ada County Engineer noted in her review based on the contour lines shown on the plan sheet that it appears the grade is approximately 9%. In following up with the County Engineer the portion of the private road that has a grade of 9% is located within the County.

- f. *For the purposes of this section, corner properties that abut a private road shall be counted as taking access off the private road. Temporary dedicated open space lots that were created as part of a nonfarm subdivision shall also be counted as taking access off the private road.*

The Director finds as shown on the site plan that there are no corner properties abutting the private road in Ada County's jurisdiction.

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

- B. *Granting approval of the private road would not cause damage, hazard, or nuisance, or other detriment to persons, property, or uses in the vicinity; and*

The Director finds that granting approval to construct the private road will not cause damage, hazard, or nuisance, or other detriment to persons, property, or uses in the vicinity. As conditioned, the proposed private road in Ada County's jurisdiction will comply with design and construction standards.

- C. *The use and location of the private road shall not conflict with the applicable comprehensive plan and/or regional transportation plan.*

The Director finds that the private road does not conflict with the Boise City Comprehensive Plan as adopted by Ada County. The Boise City Planning & Development Services replied that the proposed private road is found to be in compliance with the Boise Comprehensive Plan.

CONCLUSIONS OF LAW

If any of these Conclusions of Law are deemed to be Findings of Fact they are incorporated into the Findings of Fact section.

1. The Director concludes that Project No. 201601186 PR complies with Article 8-3B of the Ada County Code.
2. The Director concludes that Project No. 201601186 PR complies with Section 8-4D-5 of the Ada County Code.

ORDER

Based upon the Findings of Fact and Conclusions of Law contained herein, the Director approves Project #201601186 PR, subject to the Conditions of Approval attached as Exhibit A.

DATED this 25th day of August, 2016.

By: Brent Danielson

Brent Danielson, AICP, Associate Planner
Ada County Development Services

EXHIBIT A

CONDITIONS OF APPROVAL

REQUIRED ACTIONS. THE FOLLOWING LIST DETAILS THE TASKS THAT MUST BE COMPLETED BEFORE THE APPROVAL OF PROJECT #201601186 PR WILL BE CONSIDERED FINAL. THE APPLICANT AND/OR OWNER HAVE UNTIL AUGUST 25, 2016 TO COMPLETE THE REQUIRED ACTIONS AND TO OBTAIN A FINAL APPROVAL LETTER. THIS TENTATIVE APPROVAL SHALL BECOME VOID IF A FINAL APPROVAL LETTER HAS NOT BEEN ISSUED BY THAT DATE. IT SHOULD BE NOTED THAT THESE CONDITIONS OF APPROVAL DO NOT APPLY TO THE PORTION OF THE PRIVATE ROAD THAT IS WITHIN BOISE CITY LIMITS.

1. The applicant and/or owner shall submit a revised site plan showing that the private road terminates at a forty five foot (45') radius cul-de-sac or other approved turnaround configuration approved by the fire district and the Ada County Engineer.
2. The applicant and/or owner shall revise the site plan to depict that the turnaround for the private road is to be located entirely on the Schow's property.
3. There shall be a crown or transverse slope of two percent (2%) to drain water away from the travelway. The applicant and/or owner shall submit a revised cross section drawing showing that the crown or transverse slope is at least 2%.
4. Segments of the private road with a travelway greater than five percent (5%) grade shall be improved with asphalt or concrete paving.
5. The Ada County Street Naming Committee must approve the street name for the private road.
6. The Ada County Highway District must approve the point of connection between the private road and the public road.
7. Contact the Ada County Highway District to install an approved street name sign that complies with the regulations of the Ada County Uniform Street Name Ordinance (See Title 2, Chapter 1 of the Ada County Code).
8. No construction, grading, filling, clearing, or excavation of any kind shall be initiated until the applicant has received approval of a surface runoff drainage design plan from the County Engineer.
9. A road user's maintenance agreement needs to be submitted for the private road.
10. The extent of the Private Road easement will need to be monumented, and a Record of Survey filed to show said easement and monumentation. This is based on Idaho Code 54-1207(11)(ii)(3) definition of "Professional Land Surveying" and a recent IPELS Board decision regarding the monumentation of easements.
11. The applicant shall schedule a final inspection with the Ada County Engineer, upon completion of the project.

CONDITIONS OF APPROVAL

Project #201601186 PR
Patrick & Jolene Schow

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Project # 201601186-A

EXHIBIT A

12. At the conclusion of the approved work, the engineer of record shall submit a report to the director stating that the work has been executed in compliance with the approved plans.
13. Upon completing the above tasks, the applicant shall request a letter from the Director stating that the Private Road is final.

TERMS OF APPROVAL.

14. The private road shall comply with the design and construction standards in Section 8-4D-4 of the Ada County Code.
15. The travelway shall have a stable and compacted base.
16. The travelway of the private road shall have a crown or transverse slope of two percent (2%) to drain water away from the travelway.
17. All drainage shall be retained on site during construction.
18. The area encompassed by the travelway of the private road plus five feet (5') on each side of the travelway, measured from the outside edge of the travelway, shall be cleared of all flammable vegetation.
19. Appeals. The appeal period shall begin on the date of the written decision of the Director and shall last for 15 calendar days. In the event the decision of the Director is appealed, the zoning certificate will not be issued until the appeal is resolved in favor of the proposed development. See Section 8-7-7 of the Ada County Code for more information on appeals.

CONDITIONS OF APPROVAL

Project #201601186 PR
Patrick & Jolene Schow

EXHIBIT 4
Page 11 of 78
Project # 201601186 A

MEMORANDUM



DATE: July 27, 2016

RE: File 201601186 PR - Application for private road off 8478 N. Pierce Park Rd, Boise, ID

TO: Brent Danielson, Associate Planner

FROM: Angela Gilman, Ada County Engineer

CC:

Brent,

Per your request I have reviewed the project referenced above. The documents reviewed include:

- Master Application
- Detailed Letter
- Private Road Plan Sheet C-1.0
- Pre-application meeting notes

My comments and Conditions of Approval are as follows:

1. An emergency turnaround is referred to where the road enters the Schow property, but there is no turnaround shown on the plan sheet, only a vehicle turnout. Clarify where the turnaround is to be located and what configuration it will have.
2. The detailed letter states that the road will not be paved. Per Ada County code, any segment of a travelway of a private road greater than 5% shall be improved with asphalt or concrete pavement. Based on the contour lines shown on the plan sheet it appears the grade is approximately 9%. Revise the plan sheet to reflect the required paving.
3. The road widening appears to result in storm drainage collecting on the adjacent property to the south. The plan sheet doesn't show how the drainage from the widening will be dealt with on the south side or at the existing cul-d-sac. The typical section only shows a borrow ditch on the uphill side of the roadway, nothing on the downhill side. Additionally the borrow ditch surface, shown as native ground, is likely not stable enough to resist erosion during a rain event. Provide a drainage study and detailed grading plans to address these drainage issues.
4. The end of the 20' wide private road section ends abruptly at the Schow property boundary. This termination is unsafe. The termination needs to end in a roadway taper on the Schow property or with a permanent type III traffic barricade.
5. An approved turnaround of the Private Road on the Show's property needs to be included within the easement description for said Private Road.
6. The extents of the Private Road easement will need to be monumented, and a Record of Survey filed to show said easement and monumentation. This is based on I.C. 54-

EXHIBIT 4
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Project # 201601186 A

1207(11)(ii)(3) Definition of "Professional Land Surveying" and a recent IPELS Board decision regarding the monumentation of easements.

7. The post-type of the Private Road name will need to be "Lane".
8. Applicant shall notify the County Engineer when construction on the project is completed, to schedule a Final Inspection of the improvements.
9. At the conclusion of the approved project, the Engineer of Record shall submit a report to the Director stating that all work has been executed in compliance with the approved plans.

Brent Danielson

From: Ronni Christianson <ronni@wilsonmccoll.com>
Sent: Wednesday, August 03, 2016 2:46 PM
To: Austin Miller
Cc: Brent Danielson; Jolene Schow; Patrick Schow; Brian McColl
Subject: RE: ACHD Private Road Paving ADA16-0050
Attachments: Schow Access Road Plan4_19_16.pdf



Austin,

Thanks for the clarification. I will discuss with my client the driveway/public street intersection requirement that the private road is viewed as a driveway and should be paved 30' into their property. They have already constructed a 20' wide private road utilizing the Ada County Code surface requirement of 6" of compacted 3/4" crushed gravel. Over half the width was already paved. The Findings of Fact 1(b) stating that the applicant had proposed constructing a 20' wide paved private road is what had concerned my clients. They have not proposed paving the road. If, beyond this email chain, you think the District's Findings should be further clarified, please advise. Otherwise, the Staff Recommendations and the Site Specific Condition stating that the private road be paved at least 30' into the site should work for my clients and by copy of this email to Brent Danielson at the County, the County can also be aware of the District's 30' only pavement requirement.

With respect to the site specific conditions, I have a couple of questions:

- (1) My clients' proposed name for the private road is "Sage Glenn Drive" Do we get verification of the availability of that name from the District or the County?
- (2) Seeking approval of this private road was not done in connection with any development plans. Rather, my clients are selling their home and wanted to make sure the new owner could get a building permit to remodel the home. As there is no development, I am assuming that no traffic impact fee would be assessed. Please confirm.
- (3) The "Schow Access Road Plan Depiction" was attached to the application and I have reattached it here. It shows a cross-section of the private road. Are there any plans beyond those required by the ACHD Development review department?

Thanks again for your assistance.

Brian

PLEASE NOTE BRIAN MCCOLL'S OFFICE HAS A DIRECT LINE NOW.

Ronni Christianson
Legal Assistant to Brian F. McColl

WORST, FITZGERALD & STOVER, PLLC
OF COUNSEL

WILSON & MCCOLL
3858 North Garden Center Way, Suite 200
Boise, ID 83703
P.O. Box 1544, Boise, ID 83701-1544
(208) 345-9100 | Fax: (208) 384-0442

Brian McColl's direct line 208-345-9102

ronni@wilsonmccoll.com

www.magicvalleylaw.com

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From: Austin Miller [<mailto:Amiller@achdidaho.org>]

Sent: Tuesday, August 02, 2016 12:14 PM

To: Brian McColl

Subject: ACHD Private Road Paving ADA16-0050

Hi Brian,

Looking into it, there is certainly a confusing nuance in how the policy is written. As I mentioned the intersection of a private road and a public road is viewed as a driveway. District Policy 7207.4.3 states "All driveways are required to be paved their full width and at least 30-feet into the site from the edge of pavement of the adjacent street."

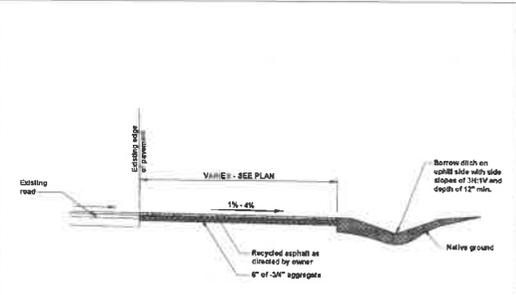
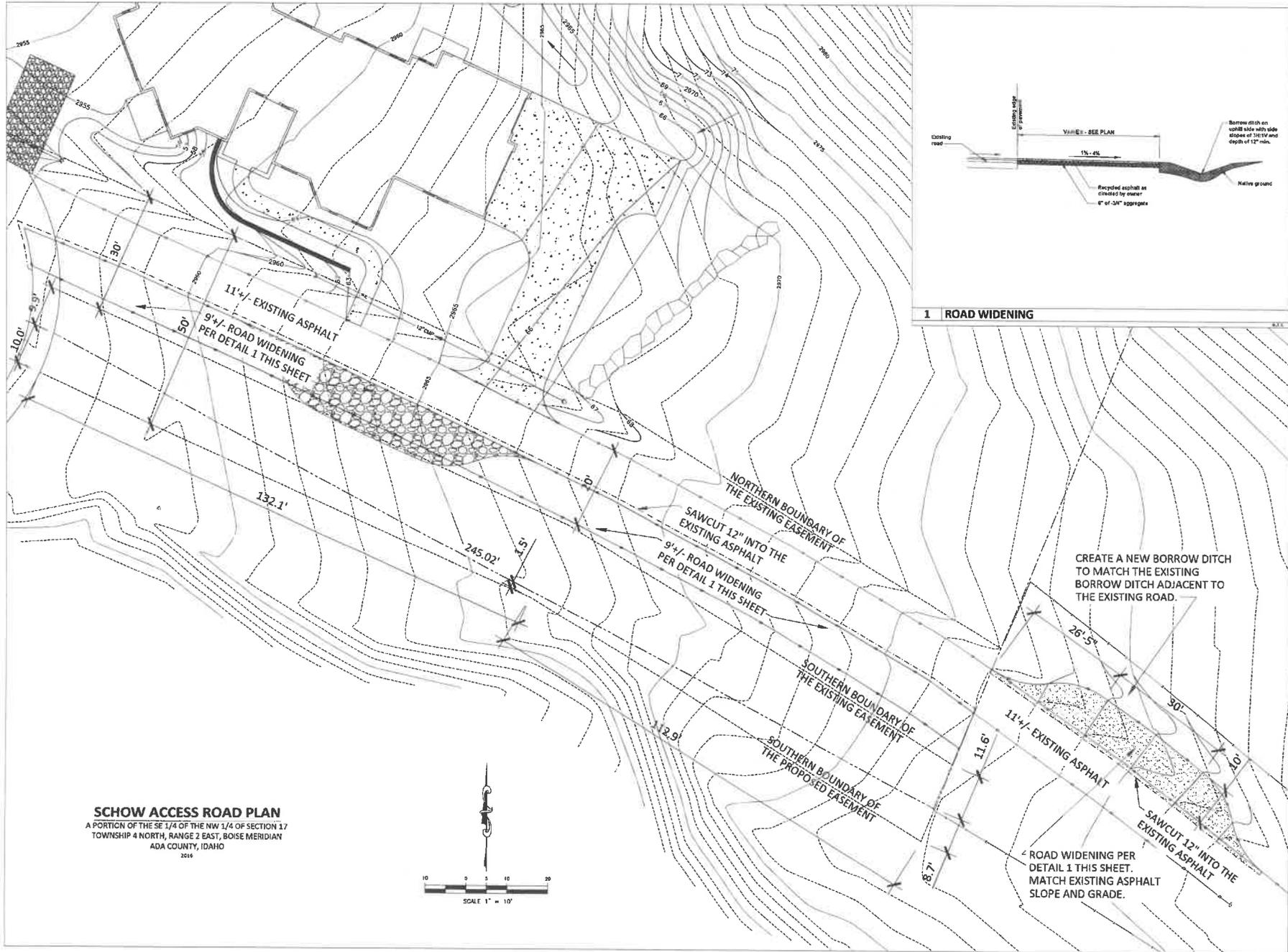
I do apologize for the confusion and do understand where it came from. Our policy is currently under revision and I have made note of this to hopefully clarify in the update.

Thank you,

Austin Miller
Ada County Highway District
Planner I, Development Services
3775 Adams Street, Garden City, ID 83714
Phone: (208) 387-6335
E-mail: Amiller@achdidaho.org

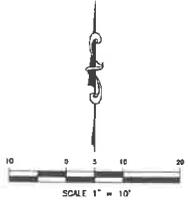


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Project # 201601180 A



1 ROAD WIDENING

SCHOW ACCESS ROAD PLAN
 A PORTION OF THE SE 1/4 OF THE NW 1/4 OF SECTION 17
 TOWNSHIP 4 NORTH, RANGE 2 EAST, BOISE MERIDIAN
 ADA COUNTY, IDAHO
 2616



REVISED
DATE 9/14/2018
PROJECT NO. C156010
DRAWN BY: R. J. SMITH
CHECKED BY: R. J. SMITH, PE
SCHOW ACCESS ROAD 8478 N. PIERCE PARK ROAD, BOISE, ID PATRICK AND JOLENE SCHOW ACCESS ROAD IMPROVEMENT PLAN
 <small>1491 E. CORNWALL AVE., BOISE, ID PH: 208.333.7532 FAX: 208.333.7531 WWW.SAGEENGINEERING.COM</small>

SHEET
C-1.0



CENTRAL DISTRICT HEALTH DEPARTMENT
Environmental Health Division

Return to:

RECEIVED
AUG 02 2015
ADA COUNTY
DEVELOPMENT SERVICES

- ACZ
- Boise
- Eagle
- Garden City
- Kuna
- Meridian
- Star

Rezone # _____
 Conditional Use # 201601186-PR
 Preliminary / Final / Short Plat _____

Sheet 17

- 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
 - bedrock from original grade
 - waste flow characteristics
 - 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 approval from appropriate entities are submitted, we can approve this proposal for:
 - central sewage
 - interim sewage
 - individual sewage
 - community sewage system
 - central water
 - individual water
 - community water well
- 9. The following plan(s) must be submitted to and approved by the Idaho Department of Environmental Quality:
 - central sewage
 - sewage dry lines
 - community sewage system
 - central water
 - community water
- 10. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
- 11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
- 12. We will require plans be submitted for a plan review for any:
 - food establishment
 - beverage establishment
 - swimming pools or spas
 - grocery store
 - child care center
- 13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDHD.
- 14. _____

Reviewed By: [Signature]
 Date: 7/29/16

EXHIBIT 4
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 Project # 201601186-PR

Review Sheet

BOISE CITY PUBLIC WORKS DEPARTMENT

DEPARTMENT CORRESPONDENCE

Date: July 29, 2016

To: Boise City Planning & Zoning

Re: 201601186-PR; 8478 N. Pierce Park Ln.

CONDITIONS OF APPROVAL

SEWER CONDITIONS – MIKE SHEPPARD (384-3920)

No comment.

DRAINAGE/STORMWATER CONDITIONS – BRIAN MURPHY (384-3752)

No comment.

STREET LIGHT CONDITIONS – TOM MARSHALL (388-4719)

No comment.



Mike

Sheppard, P.E.

Digitally signed by Mike
Sheppard, P.E.
Date: 2016.08.01 08:49:57
-06'00'

PUBLIC WORKS REPRESENTATIVE

James E.

Wyllie, P.E.

Digitally signed by
James E. Wyllie, P.E.
Date: 2016.08.01
08:50:17 -06'00'

PUBLIC WORKS REPRESENTATIVE

I:\PWA\Subjects\Review Comments\CU\2016-CU\201601186-PR.doc

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Kent Goldthorpe, President
Paul Woods, Vice President
Rebecca W. Arnold, Commissioner
Sara M. Baker, Commissioner
Jim D. Hansen, Commissioner

July 29, 2016

To: Patrick & Jolene Schow
8478 N. Pierce Park Ln.
Boise, ID 83714

Subject: ADA16-0050 / 2016-01186-PR-ENG-RD
8478 N. Pierce Park Ln.
Private Road Application



In response to your request for comment, the Ada County Highway District has reviewed the submitted application and site plan for the item referenced above. It has been determined that ACHD has site specific conditions of approval for this application.

A. Findings of Fact

1. Other

- a. **Private Road Policy:** District policy 7212.1 states that the lead land use agencies in Ada County establish the requirements for private streets. The District retains authority and will review the proposed intersection of a private and public street for compliance with District intersection policies and standards. The private road should have the following requirements:
 - Designed to discourage through traffic between two public streets,
 - Graded to drain away from the public street intersection, and
 - If a private road is gated, the gate or keypad (if applicable) shall be located a minimum of 50-feet from the near edge of the intersection and a turnaround shall be provided.
- b. **Applicant's Proposal:** The applicant is proposing to construct a 20-foot wide paved private road extending east from Sage Glenn Court.
- c. **Staff Comments/Recommendations:** If Ada County approves the private road, the applicant shall be required to pave the private roadway a minimum of 20 to 24-feet wide and at least 30-feet into the site beyond the edge of pavement of Sage Glenn Court.

Street name and stop signs are required for the private road. The signs may be ordered through the District. Verification of the correct, approved name of the road is required.

ACHD does not make any assurances that the private road, which is a part of this application, will be accepted as a public road if such a request is made in the future. Substantial redesign and reconstruction costs may be necessary in order to qualify this road for public ownership and maintenance.

The following requirements must be met if the applicant wishes to dedicate the roadway to ACHD:

- Dedicate a minimum of 50-feet of right-of-way for the road.
- Construct the roadway to the minimum ACHD requirements.
- Construct a stub street to the surrounding parcels.

B. Site Specific Conditions of Approval

1. Pave the private roadway a minimum of 20 to 24-feet wide and at least 30-feet into the site beyond the edge of pavement of Sage Glenn Court.
2. Install street name and stop signs for the private road. The signs may be ordered through the District. Verification of the correct, approved name of the road is required.
3. A Traffic Impact Fee may be assessed by ACHD and will be due prior to issuance of a building permit. Please contact the ACHD Planner (see below) for information regarding impact fees.
4. Plans shall be submitted to the ACHD Development Review Department for plans acceptance, and impact fee assessment (if an assessment is applicable).
5. Comply with the Standard Conditions of Approval as noted below.

C. Traffic Information

Condition of Area Roadways: Traffic Count is based on Vehicles per hour (VPH)

Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
Pierce Park Ln.	None	Collector	15	Better than "D"

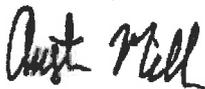
* Acceptable level of service for a two-lane collector is "D" (425 VPH).

Average Daily Traffic Count (VDT): Average daily traffic counts are based on ACHD's most current traffic counts

- The average daily traffic count for Pierce Park west of Cartwright Road was 361 on July 9, 2013.

If you have any questions, please feel free to contact me at (208) 387-6335.

Sincerely,



Austin Miller
Planner I
Development Services

cc: Ada County, via e-mail
Brian McColl, via e-mail

Standard Conditions of Approval

1. All proposed irrigation facilities shall be located outside of the ACHD right-of-way (including all easements). Any existing irrigation facilities shall be relocated outside of the ACHD right-of-way (including all easements).
2. Private Utilities including sewer or water systems are prohibited from being located within the ACHD right-of-way.
3. In accordance with District policy, 7203.6, the applicant may be required to update any existing non-compliant pedestrian improvements abutting the site to meet current Americans with Disabilities Act (ADA) requirements. The applicant's engineer should provide documentation of ADA compliance to District Development Review staff for review.
4. Replace any existing damaged curb, gutter and sidewalk and any that may be damaged during the construction of the proposed development. Contact Construction Services at 387-6280 (with file number) for details.
5. A license agreement and compliance with the District's Tree Planter policy is required for all landscaping proposed within ACHD right-of-way or easement areas.
6. All utility relocation costs associated with improving street frontages abutting the site shall be borne by the developer.
7. It is the responsibility of the applicant to verify all existing utilities within the right-of-way. The applicant at no cost to ACHD shall repair existing utilities damaged by the applicant. The applicant shall be required to call DIGLINE (1-811-342-1585) at least two full business days prior to breaking ground within ACHD right-of-way. The applicant shall contact ACHD Traffic Operations 387-6190 in the event any ACHD conduits (spare or filled) are compromised during any phase of construction.
8. Utility street cuts in pavement less than five years old are not allowed unless approved in writing by the District. Contact the District's Utility Coordinator at 387-6258 (with file numbers) for details.
9. All design and construction shall be in accordance with the ACHD Policy Manual, ISPWC Standards and approved supplements, Construction Services procedures and all applicable ACHD Standards unless specifically waived herein. An engineer registered in the State of Idaho shall prepare and certify all improvement plans.
10. Construction, use and property development shall be in conformance with all applicable requirements of ACHD prior to District approval for occupancy.
11. No change in the terms and conditions of this approval shall be valid unless they are in writing and signed by the applicant or the applicant's authorized representative and an authorized representative of ACHD. The burden shall be upon the applicant to obtain written confirmation of any change from ACHD.
12. If the site plan or use should change in the future, ACHD Planning Review will review the site plan and may require additional improvements to the transportation system at that time. Any change in the planned use of the property which is the subject of this application, shall require the applicant to comply with ACHD Policy and Standard Conditions of Approval in place at that time unless a waiver/variance of the requirements or other legal relief is granted by the ACHD Commission.

Request for Appeal of Staff Decision

1. **Appeal of Staff Decision:** The Commission shall hear and decide appeals by an applicant of the final decision made by the Development Services Manager when it is alleged that the Development Services Manager did not properly apply this section 7101.6, did not consider all of the relevant facts presented, made an error of fact or law, abused discretion or acted arbitrarily and capriciously in the interpretation or enforcement of the ACHD Policy Manual.
 - a. **Filing Fee:** The Commission may, from time to time, set reasonable fees to be charged the applicant for the processing of appeals, to cover administrative costs.
 - b. **Initiation:** An appeal is initiated by the filing of a written notice of appeal with the Secretary of Highway Systems, which must be filed within ten (10) working days from the date of the decision that is the subject of the appeal. The notice of appeal shall refer to the decision being appealed, identify the appellant by name, address and telephone number and state the grounds for the appeal. The grounds shall include a written summary of the provisions of the policy relevant to the appeal and/or the facts and law relied upon and shall include a written argument in support of the appeal. The Commission shall not consider a notice of appeal that does not comply with the provisions of this subsection.
 - c. **Time to Reply:** The Development Services Manager shall have ten (10) working days from the date of the filing of the notice of appeal to reply to the notice of the appeal, and may during such time meet with the appellant to discuss the matter, and may also consider and/or modify the decision that is being appealed. A copy of the reply and any modifications to the decision being appealed will be provided to the appellant prior to the Commission hearing on the appeal.
 - d. **Notice of Hearing:** Unless otherwise agreed to by the appellant, the hearing of the appeal will be noticed and scheduled on the Commission agenda at a regular meeting to be held within thirty (30) days following the delivery to the appellant of the Development Services Manager's reply to the notice of appeal. A copy of the decision being appealed, the notice of appeal and the reply shall be delivered to the Commission at least one (1) week prior to the hearing.
 - e. **Action by Commission:** Following the hearing, the Commission shall either affirm or reverse, in whole or part, or otherwise modify, amend or supplement the decision being appealed, as such action is adequately supported by the law and evidence presented at the hearing.



Planning & Development Services

Boise City Hall, 2nd Floor
150 N. Capitol Boulevard
P. O. Box 500
Boise, Idaho 83701-0500

Phone: 208/384-3830
Fax: 208/384-3753
TDD/TTY: 800/377-3529
Website: www.cityofboise.org/pds

July 26, 2016

Brent Danielson, Associate Planner
Ada County Development Services Department
200 W Front Street
Boise ID 83702



Re: Case # 201601186-PR, 8478 North Pierce Park Road Schow Access Road

Dear Mr. Danielson,

The above case is found in the Foothills Planning Area with Buildable and Slope Protection Land Use designations in the *Blueprint Boise Comprehensive Plan*. It resides in the RP Zone, in which the proposed use is allowed. The parcels are used for a single-family residence and agricultural uses and land.

The proposed private 20-foot road, and 50-foot-wide access easement has been reviewed by the Boise Fire Department and they found it acceptable, given an emergency vehicle turn-around is provided at the area where the road enters the Schow property. They also specify that new development included improving the driveway to IFC requirements, including, but not limited to a fire apparatus turn-around area near the end of the driveway.

The proposed use is found to be in compliance with the *Boise Comprehensive Plan*.

Sincerely,

Bruce Eggleston, AICP

MEMORANDUM



DATE: 7/21/2016

RE: 201601186-PR Schow

TO: Brent Danielson, Associate Planner

FROM: Mark Ferm, Ada County Building Official



Summary of Project:

An application for a private road in order to provide frontage and access to the Schow property at 8478 N Pierce Park.

Findings and Conditions:

The Building Division has no objection to the proposed private road.

Conclusion:

Approved as submitted

Mark Ferm
Ada County Building Official
200 W Front Suite 2125
Boise Idaho 83702
Phone 287-7910

markf@adaweb.net



Megan M. Leatherman, MCRP
Director

Ada County Courthouse
200 West Front Street
Boise ID 83702
208.287.7900
Fax 208.287.7909
www.adacounty.id.gov

Department Divisions
Building
Engineering & Surveying
Permitting
Planning & Zoning

Ada County Commissioners
Jim Tibbs, First District
Rick Yzaguirre, Second District
David L. Case, Third District

ADA COUNTY
Development Services Department

July 20, 2016

RE: PROJECT NO. 201601186-PR; SCHOW

Dear Property Owner:

This is to notify you that an application for a private road was submitted requesting approval for a private road to provide frontage and access to the Schow Property.

The property is located east of Pierce Park Lane and Sage Glen Court and contains 27.150 acres; Section 17, T.4N, R. 2E.

This application can be viewed by completing the following:

- 1 Type gisx.adaweb.net/acdsv2/
- 2 Enter "**201601186-PR**" in search application by file number
- 3 Click on 'Application Information'
- 4 Review documents by clicking on 'Supporting Documents'

Section 8-7A-5C of the Ada County Code requires that you be notified because records indicated that you own property near or within **1,000'** of the applicant's project boundary. You have 15 days from the date of this letter to respond in writing to provide any comments on the application.

A decision will be made following the 15 day comment period. The Director must find that the proposal complies with ordinance criteria and does not adversely affect surrounding properties. Any decision may then be appealed within 15 days of the final approval date.

If you have questions, please call me at 287-7913.

Sincerely,

Brent Danielson

Brent Danielson, AICP
Associate Planner



EXHIBIT 4
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PRIMOWNER
AASE'S CANYON POINTE DEVELOPMENT LLC
BEAVER REX
BROZ MARK
CITY DEVELOPMENT INC
CRUM SONYA L
DUNLAP C MICHAEL
HOWARD JAMES J
KERSTEIN CHESTER & JOANN TRUST
KERSTEIN CHESTER C
LEASURE LARRY
LEASURE-REED LTD
LOEBER EVELYN
MONTGOMERY TRACI A
OJCF-BOISE 2000 LLC
PIERCE GULCH FARM LLC
PIERCE PARK STABLES LLC
ROYCE MARILYN
RUSSELL ROBERT & DALE LIVING TRUST
SCHOW PATRICK & JOLENE FAMILY TRUST
SCHWARTZMAN ALAN M
WALTHER & KEHNE FAMILY REVOCABLE TRUST
WILLIAMS LARRY
WONG LIK
WORTHAM GENE R

ADDCONCAT
8989 S SCHOFIELD CIR
4270 W DEER TRAIL LN
8420 N PIERCE PARK LN
PO BOX 140671
2924 W DEERFIELD CT
5256 N COUGAR FLAT PL
8815 N PIERCE PARK LN
2100 S ARTESIAN RD
2100 S ARTESIAN RD
PO BOX 1277
PO BOX 1277
PO BOX 1727
4100 W DEER TRAIL LN
610 SW BROADWAY STE 407
12992 N TOWN RIDGE RD
9400 N PIERCE PARK
8200 N PIERCE PARK LN
6091 E GATEWAY CT
8478 N PIERCE PARK LN
8454 N PIERCE PARK LN
12992 N TOWNE RIDGE RD
PO BOX 8126
4304 W DEER TRAIL LN
5620 W HILL RD

STATCONCAT
SANDY, UT 84093-0000
BOISE, ID 83714-0000
BOISE, ID 83714-0000
BOISE, ID 83714-0000
EAGLE, ID 83616-2340
MERIDIAN, ID 83646-0000
BOISE, ID 83714-0000
EAGLE, ID 83616-0000
EAGLE, ID 83616-5645
BOISE, ID 83701-0000
BOISE, ID 83701-1277
RICHLAND, WA 99352-0000
BOISE, ID 83714-0000
PORTLAND, OR 97205-0000
BOISE, ID 83714-0000
BOISE, ID 83714-0000
BOISE, ID 83716-0000
BOISE, ID 83714-0000
BOISE, ID 83714-2505
BOISE, ID 83714-0000
BOISE, ID 83707-0000
BOISE, ID 83714-0000
BOISE, ID 83703-2950

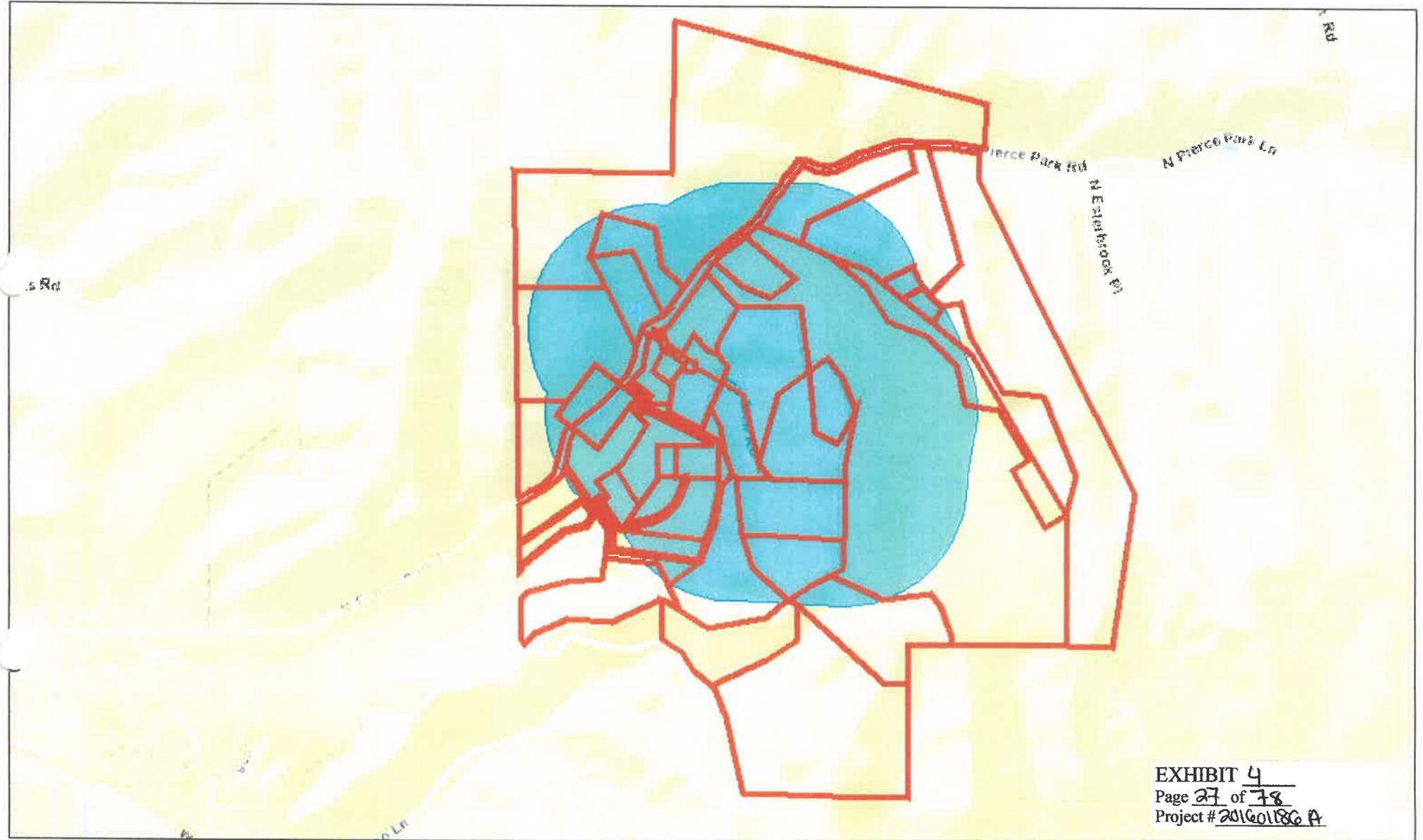
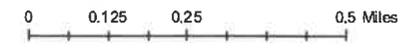


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- Search Results:
 Parcels
- City Limits
- EAGLE
 - MERIDIAN
 - STAR
 - GARDEN CITY
 - KUNA
 - Parks
 - BOISE



Date: 7/20/2016



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Brent Danielson

From: Brent Danielson
Sent: Wednesday, July 20, 2016 9:09 AM
To: chornsby@idahopower.com; amurray@idahopower.com; lbishop@idahopower.com; ddoan@cityofboise.org; rgervais@cityofboise.org; Cecily Willerton; carla.bernardi@cableone.biz; mreno@cdhd.idaho.gov; lbadigia@cdhd.idaho.gov; dfluke@cityofboise.org; sbeecham@cityofboise.org; beggleston@cityofboise.org; ttucker@cityofboise.org; kyokom@cityofboise.org; lflook@cityofboise.org; cmiller@compassidaho.org; chalberg@cableone.net; msinglet@intgas.com; Darby Weston; Darby Weston; clittle@achdidaho.org; syarrington@achdidaho.org; president@collistercna.org; rgervais@cityofboise.org; rjohnson@cityofboise.org; Mark Ferm; Angela Gilman; Jean Schaffer; Jerry Servatius; rkinney@republicservices.com; jstuber@republicservices.com; Brent Danielson
Cc: Brent Danielson
Subject: Ada County Application Transmittal Notice.



**Ada County Development Services
Planning & Zoning Division Transmittal**

File Number: 201601186-PR	X-Reference: NONE
Description: An application for a private road in order to provide frontage and access to the Schow property.	
Reviewing Body: DIRECTOR	Hearing Date:
Applicant: SCHOW PATRICK	P&Z Recommendation:
Property: The property contains 27.150 acres and is located at 8478 N PIERCE PARK LN BOISE 83714, Section 17 4N 2E.	

Ada County Development Services is requesting comments and recommendations on the application referenced above. To review detailed information about the request please either click on the file number identified above, or visit the Ada County Development Service's Application Tracking System (ATS) web site at gisx.adaweb.net/acdsv2/ and search by file number. Hover over the pushpin that appears on the map with your mouse and select "Additional Info" from the pop-up box. You will then be able to review individual documents, drawings and other information detailing the request.

We request that you submit your comments or recommendations by 8/4/2016. When responding, please reference the file number identified above. If responding by email, please send comments to bdanielson@adaweb.net.

To request a hard copy of materials associated with this application, for additional information, or to provide comment on Ada County's Development Services ATS, please call me at the number listed below.

Sincerely yours,
BRENT DANIELSON, ASSOCIATE PLANNER
200 W Front Street
Boise ID 83702
bdanielson@adaweb.net

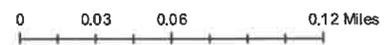
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Project # 201601186-PR

(208) 287-7913

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Project # 201601186 A



- Search Results: — Major Streets
 Parcels
- Parcels 🌳 Parks
- Street Names



Date: 7/20/2016

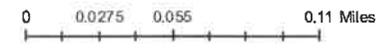


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- Search Results: **City Limits**
- GARDEN CITY
 - STAR
 - BOISE
 - KUNA
 - MERIDIAN
 - Parks
- Parcels



Date: 7/20/2016



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Megan M. Leatherman, MCRP
Director

Ada County Courthouse
200 West Front Street
Boise ID 83702
208.287.7900
Fax 208.287.7909
www.adacounty.id.gov

Department Divisions
Building
Engineering & Surveying
Permitting
Planning & Zoning

Ada County Commissioners
Jim Tibbs, First District
Rick Yzaguirre, Second District
David L. Case, Third District

ADA COUNTY
Development Services Department

July 19, 2016

Patrick & Jolene Schow
8478 N. Pierce Park Lane
Boise, ID 83714

RE: PROJECT #201601186 PR, SCHOW

Dear Mr. & Mrs. Schow;

This is to notify you that submission of your application to Ada County Development Services occurred on July 12, 2016. The Director shall act upon the application within 60 days of the date of submission, and may require conditions of approval that are deemed necessary to protect the public health, safety and welfare and prevent undue adverse impacts on surrounding properties. Failure of the Director to act upon an application shall be deemed automatic denial of the application.

If you have any questions, please call 287-7913 or via e-mail at bdanielson@adaweb.net.

Sincerely,

Handwritten signature of Brent Danielson in cursive.

Brent Danielson, AICP
Associate Planner
Ada County Development Services

Cc: Brian F. McColl, 3858 N. Garden Center Way, #200, Boise, ID 83703

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Project # 201601186 A



MASTER APPLICATION/PETITION REQUEST

ADA COUNTY DEVELOPMENT SERVICES

200 W. Front Street, Boise, Idaho 83702. www.adaweb.net phone: (208) 287-7900 fax: (208) 287-7909

TYPE OF ADMINISTRATIVE APPLICATION:

- ACCESSORY USE*
- FARM DEVELOPMENT RIGHT
- FLOODPLAIN PERMIT
- HILLSIDE DEVELOPMENT*
- HIDDEN SPRINGS ADMINISTRATIVE
- HIDDEN SPRINGS SPECIAL EVENT
- LIGHTING PLAN
- LANDSCAPE PLAN
- DRAINAGE PLAN
- MASTER SITE PLAN*
- EXPANSION NONCONFORMING USE
- ONE TIME DIVISION
- PRIVATE ROAD
- PROPERTY BOUNDARY ADJUSTMENT
- PLANNED UNIT DEVELOPMENT (PUD)
- SIGN PLAN
- TEMPORARY USE*

TYPE OF HEARING LEVEL APPLICATION:

- CONDITIONAL USE
- DEVELOPMENT AGREEMENT
- SUBDIVISION, PRELIMINARY*
- PLANNED COMMUNITIES*
- SUBDIVISION, SKETCH PLAT*
- VACATION
- VARIANCE
- ZONING MAP AMENDMENT
- ZONING TEXT AMENDMENT

TYPE OF HEARING LEVEL PETITION:

- COMPREHENSIVE PLAN MAP OR TEXT AMENDMENT PETITION CHECKLIST

TYPE OF ADDENDA:

- APPEAL
- ADMINISTRATIVE MODIFICATION
- DEVELOPMENT AGREEMENT MODIFICATION
- FINAL PLAT
- TIME EXTENSION

REQUIRED SUBMITTALS:

- CHECKLIST for applicable application(s). If multiple applications, do not duplicate submittals.
- *SUPPLEMENTAL WORKSHEET REQUIRED

SITE INFORMATION:

Section: 17 Township: 4N. Range: 2.E Total Acres: 28
 Subdivision Name: _____ Lot: _____ Block: _____
 Site Address: 8478 N. Pierce Park Rd. City: Boise
 Tax Parcel Number(s): 50617244200 ; 50617244300 ; 50617244350
 Existing Zoning: RP Proposed Zoning: Same Area of City Impact: Boise Overlay
 District(s): Wildland-Urban Fire Interface

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 JUL 12 2016
 ADA COUNTY
 DEVELOPMENT SERVICES

OFFICE USE ONLY

Project #: <u>201601186-PR-ENGRD</u>	Planning Fees/GIS:	Engineering Fees:
Received By: <u>BSP</u> Date: <u>7-12-16</u> Stamped <input checked="" type="checkbox"/>	<u>\$ 409</u>	<u>\$ 335⁰⁰</u>

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APPLICANT/AGENT: (Please print)	ADDITIONAL CONTACT if applicable: (Please Print)
Name: <u>Patrick & Jolene Schow</u>	Name: <u>Brian F. McColl, Attorney</u>
Address: <u>8478 N. Pierce Park Ln.</u>	Address: <u>3858 N. Garden Center Way, #200</u>
City: <u>Boise</u> State: <u>ID</u> Zip: <u>83714</u>	City: <u>Boise</u> State: <u>ID</u> Zip: <u>83705</u>
Telephone: <u>208-867-2152</u> Fax: _____	Telephone: <u>208-345-9102</u> Fax: <u>208-384-0442</u>
Email: <u>jolene.schow@gmail.com</u>	Email: <u>Brian@wilsonmccoll.com</u>
I certify this information is correct to the best of my knowledge. <u>Patrick Schow</u> <u>Jolene Schow</u>	ENGINEER / SURVEYOR if applicable: (Please Print) Name: _____ Address: _____ City: _____ State: _____ Zip: _____ Telephone: _____ Fax: _____ Email: _____
Signature: (Applicant) _____ Date: <u>6/30/16</u>	

OWNER (S) OF RECORD: (Please Print)	OWNER (S) OF RECORD: (Please Print)
Name: <u>Patrick Schow</u>	Name: <u>Jolene Schow</u>
Address: <u>8478 N. Pierce Park Ln.</u>	Address: <u>8478 N. Pierce Park Ln.</u>
City: <u>Boise</u> State: <u>ID</u> Zip: <u>83714</u>	City: <u>Boise</u> State: <u>ID</u> Zip: <u>83714</u>
Telephone: <u>208-867-1020</u>	Telephone: <u>208-867-2152</u>
Fax: _____	Fax: _____
Email: <u>pd.schow@gmail.com</u>	Email: <u>jolene.schow@gmail.com</u>
I consent to this application, I certify this information is correct, and allow Development Services staff to enter the property for related site inspections. I agree to indemnify, defend and hold Ada County and its employees harmless from any claim or liability resulting from any dispute as to the statements contained in this application or as to the ownership of the property, which is the subject of the application. <u>Patrick Schow</u> <u>6/30/16</u>	I consent to this application, I certify this information is correct, and allow Development Services staff to enter the property for related site inspections. I agree to indemnify, defend and hold Ada County and its employees harmless from any claim or liability resulting from any dispute as to the statements contained in this application or as to the ownership of the property, which is the subject of the application. <u>Jolene Schow</u> <u>6/30/16</u>
Signature: All Owner (s) of Record _____ Date _____	Signature: All Owner (s) of Record _____ Date _____

ALL OWNER(S) OF RECORD (ON THE CURRENT DEED) MUST SIGN (Additional Sheets are Available Online)

If the property owner(s) are a business entity, please include business entity documents, including those that indicate the person(s) who are eligible to sign documents.

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DEPARTMENT SERVICES
EXHIBIT 4
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ADA COUNTY DEVELOPMENT SERVICES

200 W. Front Street, Boise, ID 83702. www.adaweb.net phone: (208)287-7900 fax: (208)287-7909



PRIVATE ROAD CHECKLIST (ACC 8-4D)

A Private Road request is a staff level application.

GENERAL INFORMATION:

Applicant	DESCRIPTION	Staff
	One paper copy and one electronic copy of all required submittals.	
	Completed and signed Master Application	✓
	DETAILED LETTER by the applicant fully describing the request or project and addressing the following:	✓
✓	Ownership of the private road.	✓
✓	The applicant or owner shall state if the private road currently has an easement and the restrictions placed on the easement.	✓
✓	Is it a new private road? YES (✓) NO ()	✓
✓	Is it an extension to an existing private road? YES () NO (✓)	✓
✓	Is it an existing private road to be widened and paved due to access to more than four properties? YES () NO (✓)	✓
✓	Number of existing dwellings that will use the private road: 3	✓
✓	Number of properties that the private road will provide access or frontage to: 1	
✓	Private road is an easement? YES (✓) NO ()	✓
✓	Private road is a separate lot? YES () NO (✓)	✓
✓	Paved? YES () NO (✓)	✓
✓	Gravel? YES (✓) NO ()	✓
✓	DRAFT MAINTENANCE AGREEMENT (Required) <i>See recorded Permanent Access Easement</i>	
✓	SITE PLAN showing all existing and proposed easements, property lines, and frontage drawn to scale on 8 1/2" X 11" paper. <i>See Exhibit Map w/ detailed letter</i>	
✓	DEED or evidence of proprietary interest. <i>See Quitclaim Deed submitted herewith.</i>	
	STREET CROSS SECTION for the private road, including: <i>See Schow Access Road Plan</i>	
✓	Private Road and Public Street intersection. (Private Road cannot intersect a Private Road)	
✓	Turnaround configuration.	
✓	Grade of the proposed road:	
✓	Length of the proposed road:	
✓	Width of the private road:	
✓	Width of the easement of the private road: (Inside Area of Impact 50', Outside Area of Impact 30' in width)	
✓	Detailed description of paving material.	
N/A	GATE (only for exceptional circumstances)	
	Submit evidence for an exceptional circumstance necessary to improve safety or to halt environmental degradation in the area.	
	Dimensions of Gate:	
	Dimensions of Openings:	
	Direction of Traffic:	
	Locking devices:	

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	OVERLAY DISTRICT: May require a separate checklist or additional information for the following:		
	HILLSIDE DEVELOPMENT (ACC 8-3H)	YES () NO ()	
	FLOOD HAZARD (ACC 8-3F)	YES () NO ()	
✓	WILDLAND-URBAN FIRE INTERFACE (ACC 8-3B)		
	SOUTHWEST PLANNING AREA (ACC 8-3C)		
	PLANNED UNIT DEVELOPMENT (ACC 8-3D)		
	BOISE RIVER GREENWAY (ACC 8-3G)		
	BOISE AIR TERMINAL AIRPORT INFLUENCE AREAS (ACC 8-3A)		
✓	PROPOSED STREET NAME	W. Sage Glenn Ct.	
	Must comply with ACC 2-1.		
	Copy of application for requesting Street Name (Ada County Assessor's office).		
✓	APPLICATION FEE: Call County or go to www.adaweb.net for fees		\$744.00

APPLICATION WILL NOT BE ACCEPTED UNLESS ALL APPLICABLE ITEMS ON THE FORMS ARE SUBMITTED.

**APPLICATION FOR APPROVAL OF PRIVATE ROAD
(ACC 8-4D)**

**AND WILDLAND-URBAN FIRE INTERFACE
(ACC 8-3B)**

Applicant: Patrick and Jolene Schow

This is an application for approval of a Private Road that will access an approximately 28 acre¹ parcel owned by Patrick and Jolene Schow (the "**Schow Parcel**").

1. Easement. The Private Road is being constructed on a perpetual access easement 50' in width, which easement originates from public street W. Sage Glenn Ct. and then straddles two parcels: one owned by Terry R. Walther and Tracey H. Kehne (the "**Walther Parcel**"), which Walther Parcel encompasses the majority of the 50' easement; and a second parcel owned by William and Sonja Crum (the "**Crum Parcel**"), which Crum Parcel encompasses a narrow strip sufficient to create - when combined with the easement portion of the Walther Parcel - a 50' wide easement. A copy of the recorded Permanent Access Easement is attached hereto (the "**Easement**"). The easement area is depicted on the Exhibit Map attached as Exhibit D to the Easement. The legal description for the 50' easement is attached as Exhibit C to the Easement. The easement has a varying length of 254' on its southern boundary and 289' on its northern boundary. Within the 50' easement on the Walther Parcel is an existing 30' easement (the "**Original Easement**") created in that certain instrument entitled "Vacation and Relocation of Easement" dated May 3, 2004, Instrument No. 104078952, records Ada County, Idaho. Within the original 30' easement is an existing road approximately 11' +/- in width. The existing road is not an approved private road.

2. New Private Road. The existing road bed will be widened to 20' (the "**Private Road**") and the combined road bed will be constructed in accordance with the construction standards set forth in ACC-8-4D. It will not be paved. Rather, the improved surface shall consist of a minimum of 6" of compacted 3/4" crushed gravel. The location and road cross section for the Private Road is depicted on the "**Schow Access Road Plan**" attached hereto. The constructed Private Road is essentially flat with little to no grade. The Private Road terminates at the Schow Parcel's westerly boundary. The applicant has obtained approval from Boise Fire for an alternate turn-around configuration on the Schow Parcel where the Private Road accesses the Schow Parcel, which turn-around is depicted on the Schow Access Road Plan. Boise Fire's written approval is attached to this application. Applicant understands that the county engineer has also approved the proposed turn-around as depicted on the Schow Access Road Plan.

3. Properties that will use the Private Road. The Private Road will provide access to the Schow Parcel and also serves as part of a driveway to a residence owned by Alan and Mary Schwartzman (the "**Schwartzman Parcel**") and a residence owned by Mark and Lorraine Broz (the "**Broz Parcel**"). All three parcels are beneficiaries of the Original Easement that terminates at the Schow Parcel and have historically utilized the portions of the driveways that continue

¹ Previously three contiguous parcels: Parcel Nos. S0617244200, S0617244300 and S0617214350, assembled by Quitclaim Deed, Ada County Instrument No. 2016-055344.

beyond the Original Easement and that provide access to their residences. The Schow Parcel, the Schwartzman Parcel and the Broz Parcel shall continue to be parcels entitled to utilize the existing road which includes the Private Road portion. However, this application is an application for a Private Road to the Schow Parcel only and is not an application for a Private Road to either the Broz Parcel or the Schwartzman Parcel. Owners of those parcels have been advised that while their rights will continue in the Original Easement, and in the Easement supporting this application, together with any additional easements they may have in the existing driveway that crosses the Schow Parcel and the Broz Parcel, the application for a Private Road and the construction of the Private Road is limited to the Schow Parcel.

4. Wildland-Urban Fire Interface. In addition to the 20' wide road bed, 5' on each side shall be cleared of all vegetation, which maintenance obligation is contained in the Easement.

5. Street Name. The applicant is proposing that the Private Road be named in "W. Sage Glenn Ct."

Patrick Schow
Patrick Schow

Jolene Schow
Jolene Schow

Date: 6-23-16

Date: 6-23-16

EXHIBIT 4
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ADA COUNTY
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PERMANENT ACCESS EASEMENT
(Attached)

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Project # 201601186A

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ADA COUNTY
DEVELOPMENT SERVICES

WHEN RECORDED, RETURN TO:



Brian F. McColl
Worst, Fitzgerald & Stover, PLLC
P.O. Box 1544
Boise, ID 83701-1544

PERMANANT ACCESS EASEMENT

THIS PERMANENT ACCESS EASEMENT (the "**Easement**") is made and entered into between Terry R. Walther and Tracy H. Kehne ("**Walther**"), together with Bill G. Crum and Sonya L. Crum (the "**Crums**") (hereinafter collectively referred to as the "**Grantors**"), the Patrick and Jolene Schow Family Trust (the "**Schows**"), Mark Broz and Lorraine Broz, husband and wife (the "**Broz**"), and Alan M. Schwartzman and Mary R. Schwartzman, husband and wife (the "**Schwartzmans**"). The Schows, Broz and Schwartzmans are collectively referred to hereinafter as the "**Grantees**."

Recitals

A. Walther and the Crums, separately own those certain parcels of real property located in Ada County, Idaho, more particularly described on **Exhibit A** and identified thereon as the Walther Parcel and the Crum Parcel (which parcels are collectively referred to as the "**Servient Estates**"). Both parcels are contiguous and share a common boundary, the same being the southerly boundary of the Walther Parcel and the northerly boundary of the Crum Parcel.

B. Each of the Grantees separately own parcels of real property in Ada County, Idaho more particularly described and identified as the Schow House Parcel, the Schow 10 Acre Parcel, the Schow 13 Acre Parcel, the Broz Parcel, and the Schwartzman Parcel on **Exhibit B** attached hereto and by this reference incorporated herein, which parcels are collectively referred to hereinafter as the "**Dominant Estates**."

C. The Grantees currently have ingress and egress access to their respective parcels across a portion of the Walther Parcel on an existing road that connects W. Sage Glen Ct., a public right-of-way, to the Schows Dominant Estate (the "**Connecting Portion of the Existing Road**"), which existing road, after crossing the Walther Parcel, then crosses the Schow Dominant Estate and the Broz Dominant Estate accessing, the driveways to the Broz Dominant Estate, the Schows Dominant Estate, and the Schwartzman Dominant Estate.

D. The Connecting Portion of the Existing Road is a portion of that certain easement created and described in that certain instrument entitled "Vacation and Relocation of Easement" recorded as Instrument No. 104078952, records Ada County, Idaho (the "**Existing Easement**"), which Existing Easement is a 30' wide strip of land, a portion of which is improved with the Connecting Portion of the Existing Road.

E. The Grantors and the Grantees desire to expand the Existing Easement to a 50' wide strip of land on, over and across portions of the Servient Estates for the purposes hereinafter described and on the terms and conditions hereinafter set forth, and the Grantors are willing to grant easements appurtenant to and for the benefit of the Servient Estates and the Dominant Estates.

NOW, THEREFORE, for good and valuable consideration, the Grantors hereby create by grant an easement across portions the Servient Estates upon the following terms:

1. Description of Easement Area. The easement area is a 50' wide strip of land the "Easement Area") which Easement Area is legally described on **Exhibit C** attached hereto and by this reference incorporated herein, and depicted on the Exhibit Map attached hereto as **Exhibit D** and by this reference incorporated herein. The Easement Area straddles the common boundary between the Walther Parcel and the Crum Parcel with the majority of said Easement Area crossing the Walther Parcel, all as more particularly depicted upon Exhibit D. The Easement Area includes the Connecting Portion of the Existing Road that lies within the Existing Easement. The purpose of this Easement granted herein is to permit the widening of the Connecting Portion of the Existing Road in a manner that complies with the requirements of the standards for private roads pursuant to Section 8-4(d)-4, Ada County Code.

2. Authorized Uses. The Easement is created for vehicular, equestrian and pedestrian access over the road bed portion of the Easement Area and may be utilized for ingress and egress by the Grantees and their successors to the underlying Dominant Estates and Servient Estates, and for emergency vehicular access; provided however the limited uses authorized herein shall not be construed to create a public right-of-way over the Easement. The Schows, their successors and assigns, and their authorized contractors, agents and subcontractors may utilize the Easement Area to construct, reconstruct and maintain a private road in accordance with the applicable design and construction standards for private roads under the Ada County Code (when constructed the "Private Road"), subject however to any restrictions set forth in Section 5 below.

3. Permanent Easement. The Easement created herein is a permanent easement that shall inure to the benefit of the Dominant Estates and the Servient Estates, and shall be appurtenant thereto, and the burdens of this Easement shall run with the Servient Estates.

4. Servient Owner's Use. The owners of the Servient Parcels and their successors and assigns shall be entitled to any use of the Easement Area that does not conflict or interfere with the authorized uses set forth in this Easement. Specifically included in the Servient owners' right to use the Easement Area is the construction of one or more private driveways providing access to other portions of the Servient Estates from the Connecting Portion of the Existing Road as currently constructed or from the Private Road when constructed.

5. Construction and Maintenance. In the event the owners of any of the benefited properties desire to process an application with Ada County for an approved private road, such party may undertake at their cost and expense any construction necessary to comply with the

design and construction standards of private roads for Ada County. The location of the existing road is depicted on Exhibit D. Any widening of the existing roadbed shall relocate the centerline of the road bed in a southerly direction such that the northerly boundary of the existing road bed is preserved and all widening occurs in the southerly direction. After the construction of any improvements to the road bed, the three Dominant Estates shall share equally in the cost of maintaining the private road, which maintenance shall include without limitation maintaining the improved surface, be it compacted, crushed gravel or asphalt; removal of snow and ice when necessary; cleaning and controlling any debris collected from runoff; clearing any portions of the Easement Area of vegetation required by Wildland Urban Fire Interface, including keeping the road bed plus 5' on each side thereof clear of flammable vegetation; and installing a private road name, if required by Ada County. Failure of any owner of one of the Dominant Estate parcels to contribute their share of maintenance costs shall entitle the remaining owners, upon complying with this subsection, to have a lien upon the non-contributing owner(s)' parcels for such unpaid amount. The owner of the Walther Parcel shall also be entitled to enforce the maintenance requirements of this section of the Easement. Notwithstanding the foregoing, no lien may be filed until all of the requirements and preconditions to filing a homeowners' association lien in accordance with Idaho Code Section 45-810 have been met, it being agreed that the contributing owners shall have lien rights as if such owners were a homeowners' association.

6. Public Utilities Use. The Easement is not dedicated to the public; provided however, the right to use the Easement is hereby reserved for public utilities in addition to the ingress and egress use provided for herein.

7. Attorney Fees. In the event that a party hereto shall bring any action or suit against another party hereunder by reason of any breach of any of the covenants, agreements or provisions on the part of the other party arising out of this Easement then in that event the prevailing party shall be entitled to have and recover from the other party(ies) all costs and expenses of the action or suit, including actual attorney fees, resulting therefrom.

[SIGNATURE/ACKNOWLEDGEMENT PAGES FOUND ON FOLLOWING PAGES.]

EXHIBIT A
SERVIENT ESTATES REAL PROPERTY LEGAL DESCRIPTIONS

(Attached)

Terry R. Walther and Tracy H. Kehne (S0617244372)

EXHIBIT A

A parcel of land located in the Northwest quarter of Section 17, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, said parcel being more particularly described as follows:

Commencing at the section corner common to Sections 7, 8, 16 and said Section 17 from which the North quarter corner of said Section 17 bears South 66°40'00" East, 2804.48 feet; thence South 40°01'28" East, 1782.70 feet to a point on the Southerly right-of-way of Pierce Park Road, said point being the Real Point of Beginning; thence continuing along said Southerly right-of-way North 64°18'45" East, 34.36 feet, to the beginning of a non-tangent curve to the left; thence leaving said Southerly right-of-way and along said curve to the left 22.46 feet, said curve having a radius of 70.48 feet, a central angle of 18°28'52" and a long chord of 22.64 feet which bears South 71°01'20" East to a point of reverse curvature; thence along said curve 124.36 feet, said curve having a radius of 131.56 feet, a central angle of 54°40'17" and a long chord of 119.80 feet which bears South 83°08'42" East; thence South 28°03'33" East, 48.48 feet to the beginning of a tangent curve to the left; thence along said curve to the left 65.02 feet, said curve having a radius of 120.00 feet, a central angle of 31°02'46" and a long chord of 64.23 feet which bears South 41°34'06" East; thence South 57°06'20" East, 86.00 feet; thence North 39°02'12" East, 200.00 feet; thence South 39°46'44" East, 186.00 feet; thence South 70°59'46" East, 62.69 feet to a found 1/2 inch rebar monument marking an angle point in the Westerly boundary of that certain parcel of land described in Warranty Deed Instrument No. 827066, records of said Ada County; thence along said Westerly boundary South 41°17'44" East, 133.89 feet to a found 1/2 inch rebar monument marking an angle point thereon; thence continuing along said Westerly boundary South 22°18'42" West, 144.85 feet to a found 3/8 inch rebar monument marking an angle point thereon, said angle point being common with the Northeastery corner of that certain parcel of land described in Warranty Deed Instrument No. 834501, records of said Ada County; thence along the Northeastery line thereof North 62°04'24" West, 346.89 feet (formerly described as North 60°55' West, 347.70 feet); thence leaving the common boundary line with said instrument No. 834501 North 68°11'58" East, 14.44 feet; thence North 57°06'20" West, 144.80 feet, to the beginning of a tangent curve to the right; thence along said curve to the right 61.28 feet, said curve having a radius of 150.00 feet, a central angle of 31°02'46" and a long chord of 60.29 feet which bears North 41°34'58" West; thence North 28°03'33" West, 45.46 feet to the beginning of a tangent curve to the left; thence along said curve to the left 65.02 feet, said curve having a radius of 101.84 feet, a central angle of 54°16'17", and a long chord of 62.48 feet which bears North 53°08'42" West to a point of reverse curvature; thence along said curve 52.82 feet, said curve having a radius of 100.46 feet, a central angle of 30°08'52", shown of record as 30°08'52" and a long chord of 52.21 feet which bears North 65°10'20" West, to a point on the Southerly right-of-way of Pierce Park Road, said point also being the Real Point of Beginning.

QUITCLAIM DEED - 3

M:\Clients\Walther, Terry R. & Kehne, Tracy H. - 15042\15042.001 - Estate Planning\Drafts\QCID (Pierce Gulch Farm LLC to T&T) - Final.doc

Permanent Access Easement - 9

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LESS AND EXCEPTING from Parcels I, II and III those portions deeded to Ada County Highway District in Warranty Deed recorded June 12, 2003, as Instrument No. 10306846, rerecorded January 18, 2004, as Instrument No. 10406951 and in Warranty Deed recorded September 8, 2001, as Instrument No. 101091359, records of Ada County, Idaho.

QUITCLAIM DEED - 4

M:\Clients\Walther, Terry R. & Kelce, Tracy H. - 15042\15042.001 - Estate Planning\Drafts\QCD (Pierce Gulch Farm LLC to T&T) - Final.doc

Permanent Access Easement - 10

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Crum Parcel (S0617234710)

A tract of land lying in Section 17, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the Section corner common to Sections 17, 18, 19 and 20 in Township ⁴ North, Range 2 East, Boise Meridian; thence North 23°30'42" East, a distance of 2,875.10 feet to an iron pin; thence North 01°33' West, a distance of 272.69 feet to an iron pin; thence North 87°13' East, a distance of 157.81 feet to an iron pin; thence North 61°12' East, a distance of 241.12 feet to an iron pin and the Real Point of Beginning; thence North 23°39' East, a distance of 432.50 feet to an iron pin; thence North 60°55' West, a distance of 347.7 feet to an iron pin; thence South 37°13' West, a distance of 192.81 feet to an iron pin; thence South 09°49' West, a distance of 268.00 feet to an iron pin; thence South 63°12' East, a distance of 327.7 feet to an iron pin and the Real Point of Beginning.

Except: that portion deeded to Ada County Highway District under Warranty Deed dated April 5, 2002, recorded as Instrument No. 103096847 and rerecorded January 15, 2004 as Instrument No. 104004950 described as follows:

Beginning at the point common to Parcels 2 and 3 (as shown on Record of Survey No. 5119 and recorded in the Office of the Ada County Recorder) and the Northwestern corner of that parcel described in Instrument No. 634501 (hereinafter referred to as parcel 634501), Office of the Ada County Recorder which common point bears South 41°46'57" East, a distance of 2195.19 feet from the Northwest corner of Section 17, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho and which also bears South 38°01'36" West, a distance of 1998.43 feet from the North quarter corner of same said Section 17, said point being the Point of Beginning; thence

South 35°59'09" West, a distance of 14.28 feet along the property line common to said Parcels 3 and 634501 on a non-tangent, non-radial line to a point-of-curve whose radius point bears South 60°54'09" West, a distance of 15.00 feet; thence Southerly along said curve to the right, concave to the West-Southwest, 11.46 feet, through a delta of 43°48'11" to a point-of-reverse-curve, (L.C.=11.18' South 07°12'46" East); thence along a 50.00 foot radius curve to the left, concave to the Northeast, 157.51 feet, through a delta of 180°29'39" to a point-on-curve (L.C.=100.00' South 75°19'40" East); thence leaving said 50.00 foot radius curve North 62°08'24" West, a distance of 101.67 feet along the property line common to Parcels 2 and 634501 to the Point of Beginning.

EXHIBIT B
DOMINANT ESTATES' REAL PROPERTY LEGAL DESCRIPTIONS

(Attached)

Schow House Parcel (S0617244200)

Commencing at the Section corner common to Sections 17, 18, 19, and 20, T. 4N., R. 2 E., B.M., Ada County, Idaho, thence N. 0°00'00" E. a distance of 2,617.39 feet along the Section Line common to Sections 17 and 18, to the W. 1/4 corner of Section 17, thence N. 86°41'59" E. a distance of 2,005.64 feet, thence N. 16°40'00" E. a distance of 605.00 feet to a point, thence N. 55°09'00" E. a distance of 338.35 feet to the POINT OF BEGINNING.

thence N. 56°50'08" E. a distance of 176.59 feet to a point;
thence S. 39°51'00" E. a distance of 220.21 feet to a point;
thence S. 19°45'00" E. a distance of 287.41 feet to a point;
thence S. 30°07'07" W. a distance of 316.14 feet to a point;
thence N. 65°52'01" W. a distance of 218.95 feet to a point;
thence N. 2°59'57" W. a distance of 527.62 feet to the
POINT OF BEGINNING.

Schow Ten Acre Parcel (S0617244300)

Commencing at the Section Corner common to Sections 17,18,19,20, T.4N.,R.2E.,B.M., Ada County, Idaho, thence N. 00 degrees 00' E. a distance of 2,617.39 feet along the Section Line common to Sections 17 and 18, to the W1/4 Corner of Section 17; thence

- N. 86 degrees 41'59"E a distance of 2,005.64 feet to the POINT OF BEGINNING: thence
- N. 16 degrees 40'00"E a distance of 605.00 feet to a point; thence
- N. 55 degrees 09'00"E a distance of 338.35 feet to a point; thence
- S. 2 degrees 59'57"E a distance of 527.62 feet to a point; thence
- S. 65 degrees 52'01"E a distance of 218.95 feet to a point; thence
- N. 30 degrees 07'07"E a distance of 316.14 feet to a point; thence
- S. 11 degrees 41'00"W a distance of 503.45 feet to a point; thence
- S. 1 degrees 49'06"E a distance of 117.04 feet to a point; thence
- N. 86 degrees 43'00"W a distance of 637.04 feet along the Forsythe N. boundry to a steel pin (Forsythe's description calls for this boundry N. 88 degrees 41"W); thence
- N. 35 degrees 39'41"W a distance of 176.68 feet to the POINT OF BEGINNING, known as PARCEL A on that survey recorded July 23, 1982 as Instrument 8231193 in Book E of surveys page 384 records of Ada County, Idaho.

Schow 13 Acre Parcel (S0617214350)

This legal description was prepared from a field survey and subsequent recovery of pins originally set by Howard Friend L.S.. A record of survey was filed for record in Ada County, Idaho.

A parcel of land lying in Section 17, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the Section corner common to Sections 17, 18, 19, and 20 in Township 4 North, Range 2 East, Boise Meridian; thence

N.0°00'E. 2617.37 feet to the 1/4 corner common to Sections 18 and 17 T.4N., R.2E., B.M.; thence
N.85°26'58"E. 1920.99 feet to a steel pin and THE REAL POINT OF BEGINNING; (this point is common to the Pasley, Hester, and Collard parcels); thence
N.22°58'54"E. 144.70 feet to a steel pin (formerly N.23°39'E. 144.90 feet); thence
N.40°31'29"W. 133.17 feet to a steel pin (formerly N.39°54'W. 133.12 feet); thence
N.1°10'45"W. 102.42 feet to a steel pin (formerly N.0°29'W. 102.37 feet); thence
N.31°47'27"E. 347.16 feet to a steel pin (formerly N.32°30'E. 347.28 feet); thence
S.89°56'54"E. 525.11 feet to a steel pin (formerly S.89°14'E. 525.45 feet); thence
S.8°31'22"E. 545.13 feet to a steel pin (formerly S.7°48'E. 545.14 feet); thence
S.54°26'17"W. 338.43 feet to a steel pin (formerly S.55°09'W. 338.35 feet); thence
S.15°58'24"W. 605.07 feet to a steel pin (formerly S.16°40'W. 605.00 feet); thence
N.12°35'23"W. 581.73 feet to a steel pin (formerly N.11°54'W. 582.05 feet); thence
N.57°47'16"W. 222.15 feet (formerly N.57°11'W. 222.13 feet) to THE REAL POINT OF BEGINNING containing 13.00 acres.

Broz Parcel (S0617244654)

EXHIBIT A

PARCEL A

A parcel of land lying in Section 17, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the section corner common to Sections 17, 18, 19 and 20 in Township 4 North, Range 2 East, of the Boise-Meridian; Thence
North 27° 31' East a distance of 2875.10 feet to an iron pin; Thence
North 01° 33' West a distance of 272.69 feet to an iron pin; Thence
North 87° 13' East a distance of 157.81 feet to an iron pin; Thence
North 04° 12' East a distance of 341.12 feet to an iron pin; Thence
North 23° 19' East a distance of 412.50 feet to an iron pin and the REAL POINT OF BEGINNING; Thence
South 57° 11' East a distance of 222.13 feet to an iron pin; Thence
South 11° 54' East a distance of 582.05 feet to an iron pin; Thence
South 15° 44' East a distance of 176.84 feet to an iron pin on the North boundary of the Forsyth Lot; Thence
North 86° 43' West along this boundary a distance of 377.32 feet to an iron pin (Forsyth's description calls this bearing North 88° 41' West); Thence
North 14° 44' West a distance of 573.70 feet to an iron pin on the Southeast boundary of the Pasley Lot; Thence
North 23° 39' East along this boundary a distance of 280.63 feet to an iron pin and the REAL POINT OF BEGINNING.

EXCEPT a parcel of ground being a portion of that property as recorded April 13, 1990, as Instrument No. 9019388 under Record of Survey No. 1621, Book 6 of Surveys at Page 1648, records of Ada County, Idaho, said parcel being a portion of the Northwest quarter of Section 17, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at a brass cap marking the corner common to Sections 17, 18, 19 and 20, Township 4 North, Range 2 East, Boise-Meridian, Ada County, Idaho; Thence
North 0° 00' 00" West a distance of 2617.37 feet along the line common to said Sections 17 and 18 to a brass cap marking the quarter corner common to said Sections 17 and 18; Thence
North 65° 26' 58" East a distance of 1920.99 feet to a point marking the Pasley, Hester, Cottard point as called out in numerous legal descriptions; Thence
South 33° 37' 25" West a distance of 210.59 feet to a point, said point being the REAL POINT OF BEGINNING; Thence
South 27° 19' 28" East a distance of 168.84 feet to a point; Thence
South 07° 13' 50" East a distance of 219.40 feet to a point; Thence
South 17° 24' 40" East a distance of 235.42 feet to a point; Thence
North 87° 24' 38" West a distance of 40.00 feet to a point; Thence
North 15° 25' 12" West a distance of 575.71 feet to a point; Thence
North 22° 57' 25" East a distance of 40.00 feet to the REAL POINT OF BEGINNING.

PARCEL B

A 30 foot wide easement for the purpose of access and egress over a parcel of ground lying in the Northwest quarter of Section 17, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at a brass cap marking the corner common to Sections 17, 18, 19 and 20, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho; Thence
North 0° 00' 00" West a distance of 2617.37 feet along the line common to said Section 17 and 18 to a brass cap marking the quarter corner common to said Sections 17 and 18; Thence
North 51° 38' 05" East a distance of 951.84 feet to a point marking the centerline intersection of Pierce Park Lane and an existing 30 foot wide access/egress road, said point being the REAL POINT OF BEGINNING; Thence along the centerline of the 30 foot wide private access/egress road the following courses and distances:
North 47° 12' 14" East a distance of 137.57 feet;
North 44° 17' 18" East a distance of 113.68 feet to a point on the Northeasterly under Warranty Deed No. 728567, records of Ada County, Idaho, said point also being the end of said centerline of a 30 wide private access/egress easement.

PARCEL C

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A 30 foot wide easement for the purposes of access and egress over a parcel of ground lying in the Northeast quarter of Section 17, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at a brass cap marking the corner common to Sections 17, 18, 19 and 20, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho; Thence North 0° 00' 00" West a distance of 2617.37 feet along the line common to said Section 17 and 18 to brass cap marking the quarter corner common to said Sections 17 and 18; Thence North 51° 58' 05" East a distance of 951.84 feet to a point marking the centerline intersection of Pierce Park Lane and an existing 30 foot wide access/egress road; Thence along the centerline of the 30 foot wide private access/egress road the following courses and distances; North 47° 12' 14" East a distance of 127.57 feet; Thence North 44° 47' 18" East a distance of 111.68 feet to a point, said point being the REAL POINT OF BEGINNING; Thence continuing along the said centerline of a 30 foot wide private access/egress road the following courses and distances; North 44° 17' 18" East a distance of 735.59 feet; North 33° 32' 57" East a distance of 129.21 feet; Thence North 57° 26' 20" East a distance of 93.88 feet; Thence South 82° 35' 43" East a distance of 65.34 feet; Thence South 53° 51' 29" East a distance of 105.20 feet; Thence South 63° 40' 15" East a distance of 43.02 feet; Thence South 65° 07' 41" East a distance of 263.81 feet; Thence South 57° 48' 47" East a distance of 109.11 feet to a point on the West line of that property more particularly described under Record of Survey No. 1487, records of Ada County, Idaho, said point also being the end of said centerline of a 30 foot wide private access easement.

PARCEL D

A 30 foot wide easement for the purposes of access and egress over a parcel of land lying in the Northwest quarter of Section 17, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at a brass cap marking the corner common to Sections 17, 18, 19 and 20, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho; Thence North 0° 00' 00" West a distance of 2617.37 feet along the line common to said Section 17 and 18 to a brass cap marking the quarter corner common to said Sections 17 and 18; Thence North 51° 58' 05" East a distance of 951.84 feet to a point marking the centerline intersection of Pierce Park Lane and an existing 30 foot wide access/egress road; Thence along the centerline of the 30 foot wide private access/egress road the following courses and distances; North 47° 12' 14" East a distance of 127.57 feet; Thence North 44° 17' 18" East a distance of 349.18 feet; Thence North 33° 32' 57" East a distance of 129.21 feet; Thence North 57° 26' 20" East a distance of 93.88 feet; Thence South 82° 35' 43" East a distance of 65.34 feet; Thence South 53° 51' 29" East a distance of 105.20 feet; Thence South 63° 40' 15" East a distance of 43.02 feet; Thence South 65° 07' 41" East a distance of 263.81 feet; Thence South 57° 48' 47" East a distance of 109.11 feet to a point on the West line of that property more particularly described under Record of Survey No. 1487, records of Ada County, Idaho, said point also being the REAL POINT OF BEGINNING; Thence continuing along said centerline the following courses and distances; South 57° 18' 47" East a distance of 71.60 feet; Thence South 49° 20' 27" East a distance of 134.76 feet; Thence South 34° 05' 01" East a distance of 15.97 feet to a point on the North line of that property described under Record of Survey No. 1621, records of Ada County, Idaho, said point also being the end of said centerline of a 30 foot wide private access/egress easement.

Schwartzman Parcel (S0617314800)

A parcel of land in Section 17, Township 4 North, Range 2 East, Boise Meridian, Ada County, State of Idaho, said parcel being described as follows:

Beginning at the Southwest corner of said Section 17, thence North 23°31' East a distance of 2,875.10 feet, thence North 75°39' East a distance of 514.87 feet; thence South 51°13' East a distance of 199.11 feet to the Real Point of Beginning; thence South 88°41' East a distance of 955.12 feet; thence South 0°38' East a distance of 488.36 feet; thence South 88°14' West a distance of 886.83 feet; thence North 8°42' West a distance of 488.77 feet to the Real Point of Beginning.

Together with an easement for ingress and egress on the following described property:

Beginning at a point 2594.2 feet North and 2124.7 feet East of the SW Corner of Section 17, T. 4 N., R. 2 E., B.M, thence North 35°43' West, 44.7 feet to the real property line and Real Point of Beginning; thence North 35°43' West 166.8 feet to a point of curvature; thence along a curve to the right with a radius of 450.0 feet and a central angle of 30°00', a distance of 235.6 feet to a point of tangency; thence North 05°43' West, 265.7 feet to a point of curvature; thence along a curve to the left with a radius of 220.0 feet and a central angle of 53°12', a distance of 204.3 feet to a point of tangency; thence North 58°55' West, 155.7 feet to a point of curvature, thence along a curve to the left with a radius of 1500.0 feet and a central angle of 10°12' a distance of 267.0 feet to a point of tangency; thence North 69°07' West, 101.3 feet to a point of curvature, thence along a curve to the right with a radius of 100.0 feet and a central angle of 22°23', a distance of 39.1 feet to a point of tangency; thence North 46°44' West, 85.5 feet to a point of curvature, thence along a curve to the left with a radius of 40.0 feet and a central angle of 92°23', a distance of 64.5 feet to a point of tangency; thence South 44°21' West, 677.4 feet to a point of junctura of the above described right of way and Pierce Park Lane.

EXHIBIT C
EASEMENT AREA LEGAL DESCRIPTION

(Attached)

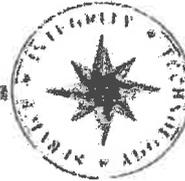
Permanent Access Easement - 18

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A Professional Corporation



Private Access Easement Description

A 50 foot wide private access easement located in the Northwest Quarter of Section 17, Township 4 North, Range 2 East of the Boise Meridian, City of Boise, Ada County, Idaho being more particularly described as follows:

Commencing at the aluminum cap monument representing the position of the quarter corner common to Sections 17 and 18 as perpetuated by document number 7510593, Records of Ada County, from which the brass cap monument representing the position of the corner common to sections 7, 8, 17 and 18, T4N, R2E as perpetuated by document number 8551283, Records of Ada county bears North $00^{\circ} 40' 46''$ West a distance of 2617.51 feet; thence North $64^{\circ} 47' 46''$ East for a distance of 1920.99 feet to a set $5/8^{\text{th}}$ inch rebar with plastic cap stamped "PLS 12720" marking the southeasterly corner of Parcel 2, as shown on Record of Survey #5119, Instrument No. 100077525, Records of Ada County, and the **REAL POINT OF BEGINNING**;

Thence along the extension of the easterly boundary line of said Parcel 2, South $22^{\circ} 18' 42''$ West for a distance of 8.51 feet;

Thence North $58^{\circ} 29' 07''$ West for a distance of 113.06 feet;

Thence North $65^{\circ} 48' 01''$ West for a distance of 140.90 feet;

Thence along the cul-de-sac right-of-way of Sage Glen Court 10.52 feet along the arc of a 50 foot radius curve left having a central angle of $12^{\circ} 03' 07''$ and a long chord bearing North $20^{\circ} 12' 11''$ East a distance of 10.50 feet to a set $5/8^{\text{th}}$ inch rebar with plastic cap stamped "PLS 12720" marking the westerly end of the southerly boundary line of said Parcel 2, from which the **REAL POINT OF BEGINNING** and the easterly end of said southerly boundary bears South $62^{\circ} 06' 24''$ East for a distance of 254.02 feet;

Thence continuing along the cul-de-sac right-of-way of Sage Glen Court as described in Instrument No. 104004951, Records of Ada County, 56.45 feet along the arc of a 50 foot radius curve left having a central angle of $64^{\circ} 41' 04''$ and a long chord bearing North $18^{\circ} 09' 55''$ West a distance of 53.50 feet;

Thence along the northerly margin of a 30 foot wide easement as described in Instrument No. 9053499, Records of Ada County, South $65^{\circ} 48' 01''$ East for a distance of 180.88 feet;

Thence continuing along said margin of said access easement South $58^{\circ} 29' 07''$ East for a distance of 108.15 feet;

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Accurate Surveying & Mapping



Thence along the easterly boundary line of said Parcel 2, South 22° 18' 42" West for a distance of 42.14 feet to the **REAL POINT OF BEGINNING**.

Parcel contains 13,117 square feet, more or less.

SUBJECT TO: Any easements or reservations of record or in use on or across the above-described land.



2

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Permanent Access Easement - 20

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EXHIBIT D
EASEMENT MAP

(Attached)

Permanent Access Easement - 21

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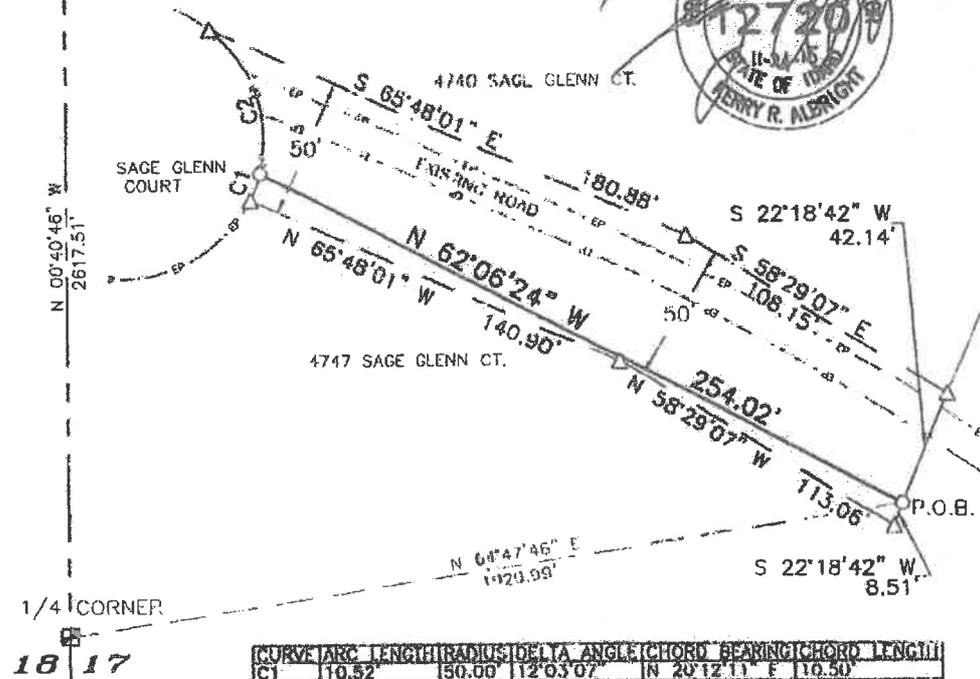
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EXHIBIT MAP

A 50 FOOT WIDE PRIVATE ACCESS EASEMENT LOCATED IN THE
NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 4 NORTH, RANGE
2 EAST, BOISE MERIDIAN, CITY OF BOISE, ADA COUNTY, IDAHO

7 8
18 17

SCALE: 1"=50'



LEGEND

- BOUNDARY LINE
- SECTION LINE
- - - - - EASEMENT
- EP — EP — EP — EP — EP — EP — EASEMENT
- ⊙ BRASS CAP MONUMENT
- ⊠ ALUMINUM CAP
- SET 5/8" IRON PIN, PLS 12720
- △ CALCULATED POINT
- P.O.B. POINT OF BEGINNING



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SCHOW ACCESS ROAD PLAN DEPICTION

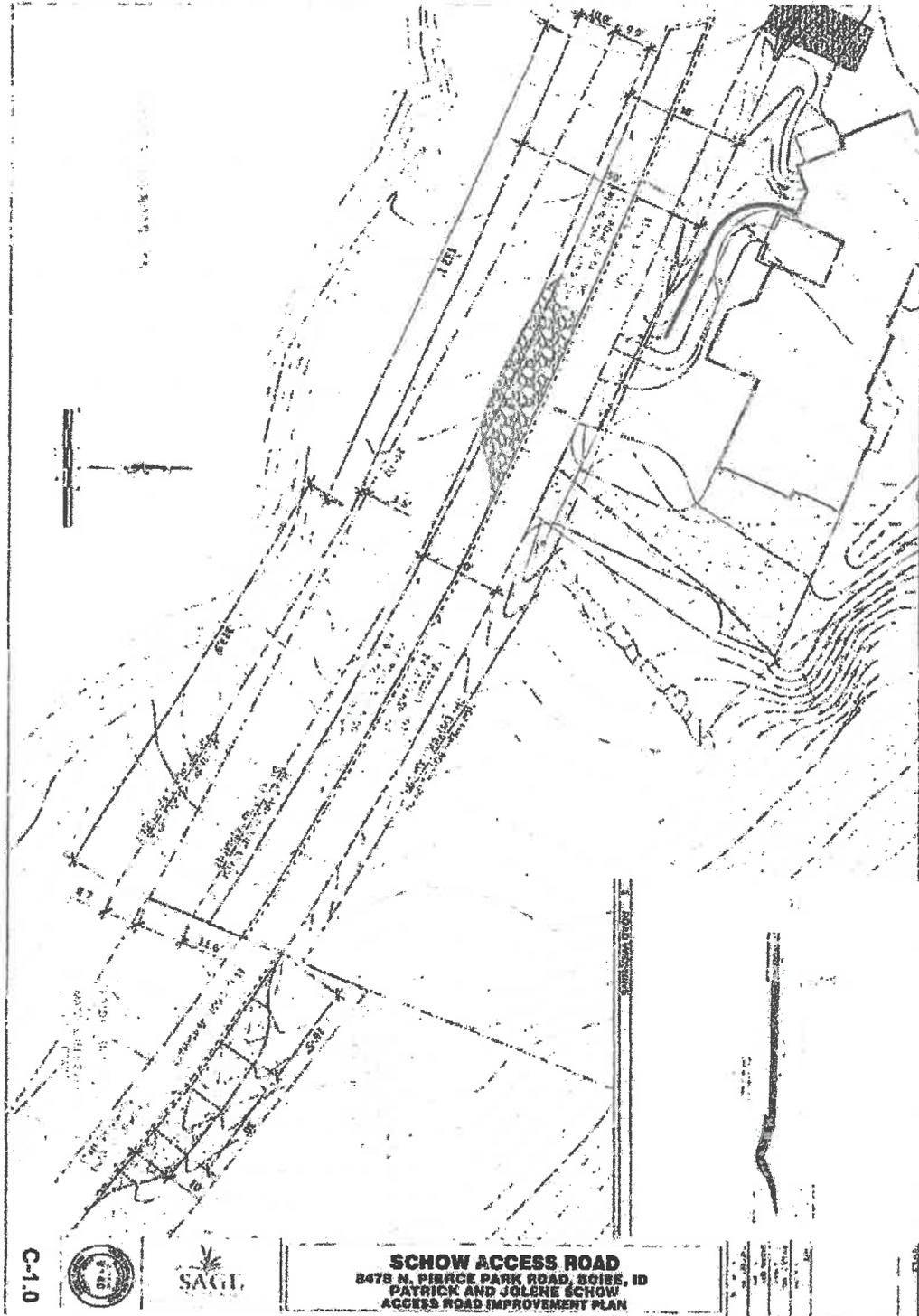


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Fire Department

Dennis Doan
Chief

June 21, 2016

City Hall West
333 N. Mark Stall Place
Boise, Idaho 83704-0644

Patrick and Jolene Schow
8478 N. Pierce Park Ln.
Boise, ID 83714

Phone
208/570-6500

Re: Schow Access Road

Fax
208/570-6586

Dear Pat and Jolene,

TDD/TTY
800/377-3529

I have reviewed the attached Schow Access Road drawing, Sheet C-1.0, prepared by Sage Engineering. It depicts a proposed turnout to be constructed at the point your new private road enters your property. This is acceptable to Boise Fire Department. It is expected that any future development of your property will include improving the driveway to match IFC requirements, including but not limited to a fire apparatus turn-around area near the end of the driveway.

Web
www.cityofboise.org/fire



Regards,

Mayor
David H. Bieter

Ron Johnson
Division Chief – Assistant Fire Marshal
Boise Fire Department

City Council
President
Maryanne Jordan

Council Pro Tem
David Eberle

Flaine Clegg
Lauren McLean
TJ Thomson
Ben Quintana

RECEIVED
JUL 12 2016
ADA COUNTY
DEVELOPMENT SERVICES

QUITCLAIM DEED

PATRICK AND JOLENE SCHOW FAMILY TRUST and PATRICK D. SCHOW and JOLENE K. SCHOW, INDIVIDUALLY (collectively the "Grantor"), do hereby convey, release, remise and forever quitclaim unto PATRICK AND JOLENE SCHOW, husband and wife, whose current address is 8478 N. Pierce Park Ln., Boise, ID 83714 (the "Grantee"), its interest in and to the following described property located in Ada County, State of Idaho, more particularly described as follows, to wit:

See Exhibit A attached hereto.

DATED this 21 day of June, 2016.

PATRICK AND JOLENE SCHOW FAMILY TRUST

By Patrick D. Schow
Patrick D. Schow, Trustee

DATED this 21 day of June, 2016.

PATRICK AND JOLENE SCHOW FAMILY TRUST

By Jolene K. Schow
Jolene K. Schow, Trustee

DATED this 21 day of June, 2016.

Jolene K. Schow
Jolene K. Schow

DATED this 21 day of June, 2016.

Patrick D. Schow
Patrick D. Schow

ADA COUNTY RECORDER Christopher D. Rich
BOISE IDAHO Pgs=5 CHE FOWLER
WORST FITZGERALD & STOVER

2016-055344
06/23/2016 03:46 PM
AMOUNT:\$22.00



00240066201600653440050059

EXHIBIT 4
Page 60 of 78
Project # 201601180 A

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JUL 12 2016
ADA COUNTY
DEVELOPMENT SERVICES

EXHIBIT A

Schow House Parcel (S0617244200)

Commencing at the Section corner common to Sections 17, 18, 19, and 20, T. 4N., R. 2 E., B.M., Ada County, Idaho, thence N. 0°00'00" E. a distance of 2,617.39 feet along the Section Line common to Sections 17 and 18, to the W. 1/4 corner of Section 17, thence N. 86°41'59" E. a distance of 2,005.64 feet, thence N. 16°40'00" E. a distance of 605.00 feet to a point, thence N. 55°09'00" E. a distance of 338.35 feet to the POINT OF BEGINNING.

thence N. 56°50'08" E. a distance of 176.59 feet to a point;
thence S. 39°51'00" E. a distance of 220.21 feet to a point;
thence S. 19°45'00" E. a distance of 287.41 feet to a point;
thence S. 30°07'07" W. a distance of 316.14 feet to a point;
thence N. 65°52'01" W. a distance of 218.95 feet to a point;
thence N. 2°59'57" W. a distance of 527.62 feet to the POINT OF BEGINNING.

Schow Ten Acre Parcel (S0617244300)

Commencing at the Section Corner common to Sections 17,18,19,20, T.4N.,R.2E.,B.M., Ada County, Idaho, thence N. 00 degrees 00' E. a distance of 2,617.39 feet along the Section Line common to Sections 17 and 18, to the W1/4 Corner of Section 17; thence

- N. 86 degrees 41'59"E a distance of 2,005.64 feet to the POINT OF BEGINNING; thence
- N. 16 degrees 40'00"E a distance of 605.00 feet to a point; thence
- N. 55 degrees 09'00"E a distance of 338.35 feet to a point; thence
- S. 2 degrees 59'57"E a distance of 527.62 feet to a point; thence
- S. 65 degrees 52'01"E a distance of 218.95 feet to a point; thence
- N. 30 degrees 07'07"E a distance of 316.14 feet to a point; thence
- S. 11 degrees 41'00"W a distance of 503.45 feet to a point; thence
- S. 1 degrees 49'06"E a distance of 117.04 feet to a point; thence
- N. 86 degrees 43'00"W a distance of 637.04 feet along the Forsythe N. boundry to a steel pin (Forsythe's description calls for this boundry N. 88 degrees 41"W); thence
- N. 35 degrees 39'41"W a distance of 176.68 feet to the POINT OF BEGINNING, known as PARCEL A on that survey recorded July 23, 1982 as Instrument 8231193 in Book E of surveys page 384 records of Ada County, Idaho.

RECEIVED
JUL 12 2016
ADA COUNTY
DEVELOPMENT SERVICES

Schow 13 Acre Parcel (S0617214350)

This legal description was prepared from a field survey and subsequent recovery of pins originally set by Howard Friend L.S.. A record of survey was filed for record in Ada County, Idaho.

A parcel of land lying in Section 17, Township 4 North, Range 2 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the Section corner common to Sections 17, 18, 19, and 20 in Township 4 North, Range 2 East, Boise Meridian; thence

N.0°00'E. 2617.37 feet to the 1/4 corner common to Sections 18 and 17 T.4N., R.2E., B.M.; thence
N.85°28'58"E. 1920.99 feet to a steel pin and THE REAL POINT OF BEGINNING; (this point is common to the Pasley, Hester, and Collard parcels); thence
N.22°58'54"E. 144.70 feet to a steel pin (formerly N.23°39'E. 144.90 feet); thence
N.40°31'29"W. 133.17 feet to a steel pin (formerly N.39°54'W. 133.12 feet); thence
N.1°10'45"W. 102.42 feet to a steel pin (formerly N.0°29'W. 102.37 feet); thence
N.31°47'27"E. 347.16 feet to a steel pin (formerly N.32°30'E. 347.28 feet); thence
S.89°58'54"E. 525.11 feet to a steel pin (formerly S.89°14'E. 525.45 feet); thence
S.8°31'22"E. 545.13 feet to a steel pin (formerly S.7°48'E. 545.14 feet); thence
S.54°28'17"W. 338.43 feet to a steel pin (formerly S.55°09'W. 338.35 feet); thence
S.15°58'24"W. 805.07 feet to a steel pin (formerly S.16°40'W. 805.00 feet); thence
N.12°35'23"W. 581.73 feet to a steel pin (formerly N.11°54'W. 582.05 feet); thence
N.57°47'16"W. 222.15 feet (formerly N.57°11'W. 222.13 feet) to THE REAL POINT OF BEGINNING containing 13.00 acres.



ADA COUNTY
DEVELOPMENT SERVICES

200 W. FRONT STREET
BOISE, IDAHO 83702-7300
PHONE (208) 287-7900

PREAPPLICATION CONFERENCE NOTES

Preapplication Number: 201600019 - PREAP - A

Status: Active

Date Received: 1/29/2016

Date Closed:

Meeting Date: 2/25/2016 Date Assigned: 1/29/2016

Project Description:

Applicant's Name:
SCHOW PATRICK

To discuss Private Road at:
8478 N. Pierce Park Ln

Development Services Staff Assigned To Meeting:

Staff Name:	Attended Meeting?
BRENT DANIELSON	<input checked="" type="checkbox"/>
KRISTY INSELMAN	<input checked="" type="checkbox"/>

S0617214350
S0617244200
S0617244300

No. of Lots/Units: 0

Total Acres: 27.150

Unique Features:

Sewer/Septic:

Water/Well:

General Property Location:

Parcel Info:

Parcel Num:	Street Address:	City/State/Zip:
S0617214350	N PIERCE PARK LN	Boise, ID 83714-0000
S0617244200	8478 N PIERCE PARK LN	Boise, ID 83714-0000
S0617244300	N PIERCE PARK LN	Boise, ID 83714-0000

Zone Info:

Zone Type:	Zone:
Existing Zone	RP

TwN / Rng / Sec Info:

TwN:	Rng:	Sec:	Qtr:
4N	2E	17	

Overlay Areas Info:

Overlay Area:	Overlay Value:	Code Ref:	Comments:
Hillside	15 % Slope or More	Article 8-3H	
Impact Area	Boise		
WUFI	Yes	Article 8-3B	

Comp Plan:

Boise

Agencies To Contact:

Agency Name:

ADA COUNTY HIGHWAY DISTRICT/ PLANNING DEPT - (208)-387-6170

Comments:

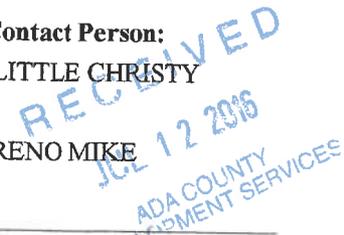
CENTRAL DISTRICT HEALTH DEPARTMENT - (208)-327-8517

Comments:

Contact Person:

LITTLE CHRISTY

RENO MIKE





ADA COUNTY
DEVELOPMENT SERVICES

200 W. FRONT STREET
BOISE, IDAHO 83702-7300
PHONE (208) 287-7900

PREAPPLICATION CONFERENCE NOTES

IDAHO POWER COMPANY - (208)-388-2699

HORNSBY COURTNEY

Comments:

Proposed Allowed Uses:

Dwelling, single-family detached

Required Applications:

App Type:	Descriptive Name:
PR	PRIVATE ROAD

Notes:

The property located in the Rural Preservation (RP) District and in Boise's Area of Impact.

See Article 8-2A of the Ada County Code for more information on the Rural Preservation (RP) District.

The property is also located in the Wildland-Urban Fire Interface (WUFI) Overlay District. See Article 8-3B of the Ada County Code for more information on the WUFI Overlay District.

The WUFI Overlay District has the following standards for private roads:

1. Vehicular turnouts for emergency vehicles shall be required on all new private roads. Such turnouts shall be spaced at a maximum interval of seven hundred feet (700') and shall be a minimum of eight feet (8') wide and thirty feet (30') long. Road construction and vehicular turnarounds shall meet the private road standards as set forth in section 8-4D-4 of this title. Driveways that meet turnout standards shall be counted as turnouts, provided they are a minimum of twenty feet (20') wide and thirty feet (30') long.
2. Maintenance of the private road shall include vegetation control as specified in subsection A2b of this section: For private roads, the area encompassed by the travelway plus five feet (5') on each side of the travelway, measured from the outside edge of the travelway, shall be cleared of all flammable vegetation.

The property is located in the Hillside Overlay District. See Article 8-3H of the Ada County Code for more information on the Hillside Overlay District.

See Article 8-4D of the Ada County Code for information on Private Roads. The easement for the private road is 50 feet because the property is located in Boise's Impact Area.

Private Road Design Standards:

1. The private road shall be constructed on a perpetual access easement or a single platted lot that originates from a public street and provides access to all applicable properties.
 - a. Outside an area of city impact, the easement shall be a minimum of thirty feet (30') in width. Inside an area of city impact, the easement shall be a minimum of fifty feet (50') in width.
2. All properties abutting an approved private road shall have the same minimum required street frontage as required by the applicable base district, except: If the turnaround for the private road is located within a property as illustrated in section 8-1A-2, "Figure 14", of this title, the required frontage shall be thirty feet (30') (the width of the private road easement).
3. The point of connection of the private road and the public street shall be approved by the Ada County Highway District.
4. The private road shall terminate at a forty five foot (45') radius cul-de-sac or other approved turnaround configuration.
 - a. The turnaround may be located in an area of the property other than where the private road enters the property (see section 8-1A-2, "Figure 14", of this title).
 - b. The private road shall not intersect a public road, except at its origination point. The private road shall not intersect another private road.



ADA COUNTY
DEVELOPMENT SERVICES

200 W. FRONT STREET
BOISE, IDAHO 83702-7300
PHONE (208) 287-7900

PREAPPLICATION CONFERENCE NOTES

c. If the applicant proposed an alternative location and/or configuration for the turnaround, the following additional standards shall apply:

- (1) The applicant shall provide written approval from the appropriate fire district.
- (2) The County Engineer shall review and approve the alternate location and/or configuration.

5. New gates or other travelway obstacles shall not be allowed except in exceptional circumstances when the director determines the gate or gates are necessary to improve safety or to halt environmental degradation in the area. Before approving a new gate or other obstacle, the director shall provide the fire district, or if no fire district, the Ada County sheriff, with advice from the Idaho State Fire Marshal's Office, the opportunity to review the proposal and offer recommendations.

a. Approved gate openings shall be a minimum of twenty feet (20') wide, be located a minimum of thirty feet (30') from the public right of way, and when the gate is open, the travelway, for its entire width shall be clear and unobstructed.

b. Gates located on one-way roads shall open in the same direction that traffic moves. Gates located on two-way roads must open in both the directions that traffic moves. Gates that open upward shall not be allowed.

c. Gates shall have a fail-open lock in the event of a loss of power.

6. No segment of the travelway of a private road shall exceed ten percent (10%) grade. Fire apparatus roadways in locations that front buildings, at intersections with other roads, and in front of fire hydrants, shall not exceed eight percent (8%) grade.

7. If the private road is located within the wildland-urban fire interface overlay district, the additional design standards listed in section 8-3B-3 of this title shall apply.

8. Upon review of the proposed private road design, the applicant may be required to submit a drainage study prior to action on the private road application.

Private Road Construction Standards:

1. Private roads that will serve development located within an area of impact and that development will exceed a density of three (3) dwelling units per acre shall be constructed to the Ada County highway district standards for urban local roads.

2. All other private roads not defined in subsection B1 of this section shall be constructed to the following standards:

a. Private roads that will provide frontage or access to four (4) or fewer properties shall have a travelway with a minimum improved width of twenty feet (20'). Private roads that will provide frontage or access to more than four (4) properties shall have a travelway with a minimum improved width of twenty four feet (24').

b. The travelway shall have a stable, compacted base.

c. There shall be a crown or transverse slope of two percent (2%) to drain water away from the travelway.

d. The improved surface shall consist of six inches (6") of compacted two inch (2") minus crushed gravel or other materials approved by the county engineer. Private roads that provide frontage and/or access to more than four (4) properties shall be paved with 2.5 inches of asphaltic concrete.

e. If the turnaround is located within a property as illustrated in figure 14, section 8-1A-2 of this title, the full length of the travelway to the turnaround shall have a twenty four foot (24') width of improved surface.

f. Any segment of a travelway of a private road greater than five percent (5%) grade shall be improved with asphalt or concrete paving.

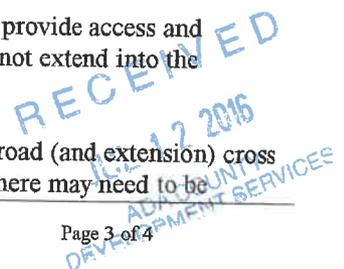
g. For the purposes of this section, corner properties that abut a private road shall be counted as taking access off the private road. Temporary dedicated open space lots that were created as part of a nonfarm subdivision shall also be counted as taking access off the private road.

A private road application is a staff level application.

MEETING NOTES:

The applicant is seeking to construct a private road off of an existing public roadway in order to provide access and frontage to the property. They currently access their property off of the private road, but it does not extend into the property.

The private road will cross multiple properties owned by multiple owners. The existing private road (and extension) cross jurisdictions. It would be partially within the City of Boise's and partially within the County. There may need to be





ADA COUNTY
DEVELOPMENT SERVICES

200 W. FRONT STREET
BOISE, IDAHO 83702-7300
PHONE (208) 287-7900

PREAPPLICATION CONFERENCE NOTES

multiple applications between the jurisdictions.

A private road within the City's Area of Impact, the easement area shall be 50-feet. The private road will need to terminate in an approved turnaround.

They plan on combining the three parcels into one.

If approved, the private road would need to be completed within one year. The applicant can request time extensions.

Additional Preap Conference: Not Recommended

Neighborhood Meeting Required? No

Cross References: 201500486-PIR

RECEIVED
JUL 12 2016
ADA COUNTY
DEVELOPMENT SERVICES

Brent Danielson

From: Todd Tucker <TTucker@cityofboise.org>
Sent: Thursday, February 25, 2016 4:56 PM
To: Brent Danielson
Cc: Leon Letson
Subject: RE: Proposed Private Road for Schow Properties

Ok, that's fine. I don't think we care about that.

Todd

From: Brent Danielson [<mailto:bdanielson@adaweb.net>]
Sent: Thursday, February 25, 2016 4:55 PM
To: Todd Tucker
Cc: Leon Letson
Subject: RE: Proposed Private Road for Schow Properties

Todd,

I think that is mostly correct. If the existing improved road/driveway is not 20 feet wide we may require them to widen the road to 20 feet.

Brent

From: Todd Tucker [<mailto:TTucker@cityofboise.org>]
Sent: Thursday, February 25, 2016 4:39 PM
To: Brent Danielson
Cc: Leon Letson
Subject: RE: Proposed Private Road for Schow Properties

Brent,

I have spoken with Mr. McColl about this in the past. If I understand correctly, nothing physically on the ground is changing. Just the existing 30 foot wide easement for the driveway is being expanded to 50 feet so it can be called a private street to meet the County's requirement for street frontage. Is that correct? If that is true, and the only thing changing is the width of an existing easement from 30 feet to 50 feet then I don't think the City has any concerns.

Todd

From: Brent Danielson [<mailto:bdanielson@adaweb.net>]
Sent: Thursday, February 25, 2016 3:50 PM
To: Todd Tucker
Subject: Proposed Private Road for Schow Properties

Todd,

I met with a property owner today (Schow's) and their representative Brian McColl who are looking at doing a private road to give them frontage and access to an approved private road so that they can sell their existing house and for the new owners to be able to obtain a building permit. They have three (3) parcels that they are going to be combining into one parcel: S0617214350, S0617244200, and S0617244300.

EXHIBIT 4
Page 75 of 78
Project # 20160186A

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The private road would cross a property that is within the jurisdictional boundaries of the City. See attached drawings.

We would like to know how the City would treat a private road going across the City to serve a parcel under the County's jurisdiction. In 2012, we had a similar situation off of Mountain Cove Road in the Military Reserve area through Project #201201392-PR. In this instance, the City looked at the portion of the private road going the City to be a private driveway. Would you consider this to be a private driveway as there are two other houses that would utilize the proposed private road. Attached are some of the documents from Project #201201392-PR. Thanks for your help on this.



Brent Danielson, AICP
Associate Planner

**Ada County Development
Services**
200 W. Front St., Boise, ID 83702
(208) 287-7913 office
(208) 287-7909 fax

<http://www.adacounty2025.com>

RECEIVED
JUL 12 2015
ADA COUNTY
DEVELOPMENT SERVICES

Brent Danielson

From: Todd Tucker <TTucker@cityofboise.org>
Sent: Thursday, February 25, 2016 4:39 PM
To: Brent Danielson
Cc: Leon Letson
Subject: RE: Proposed Private Road for Schow Properties

Brent,

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Sent: Thursday, February 25, 2016 3:50 PM
To: Todd Tucker
Subject: Proposed Private Road for Schow Properties

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The private road would cross a property that is within the jurisdictional boundaries of the City. See attached drawings.

We would like to know how the City would treat a private road going across the City to serve a parcel under the County's jurisdiction. In 2012, we had a similar situation off of Mountain Cove Road in the Military Reserve area through Project #201201392-PR. In this instance, the City looked at the portion of the private road going the City to be a private driveway. Would you consider this to be a private driveway as there are two other houses that would utilize the proposed private road. Attached are some of the documents from Project #201201392-PR. Thanks for your help on this.



Brent Danielson, AICP
Associate Planner

**Ada County Development
Services**
200 W. Front St., Boise, ID 83702
(208) 287-7913 office
(208) 287-7909 fax

<http://www.adacounty2025.com>



Schow Parcels

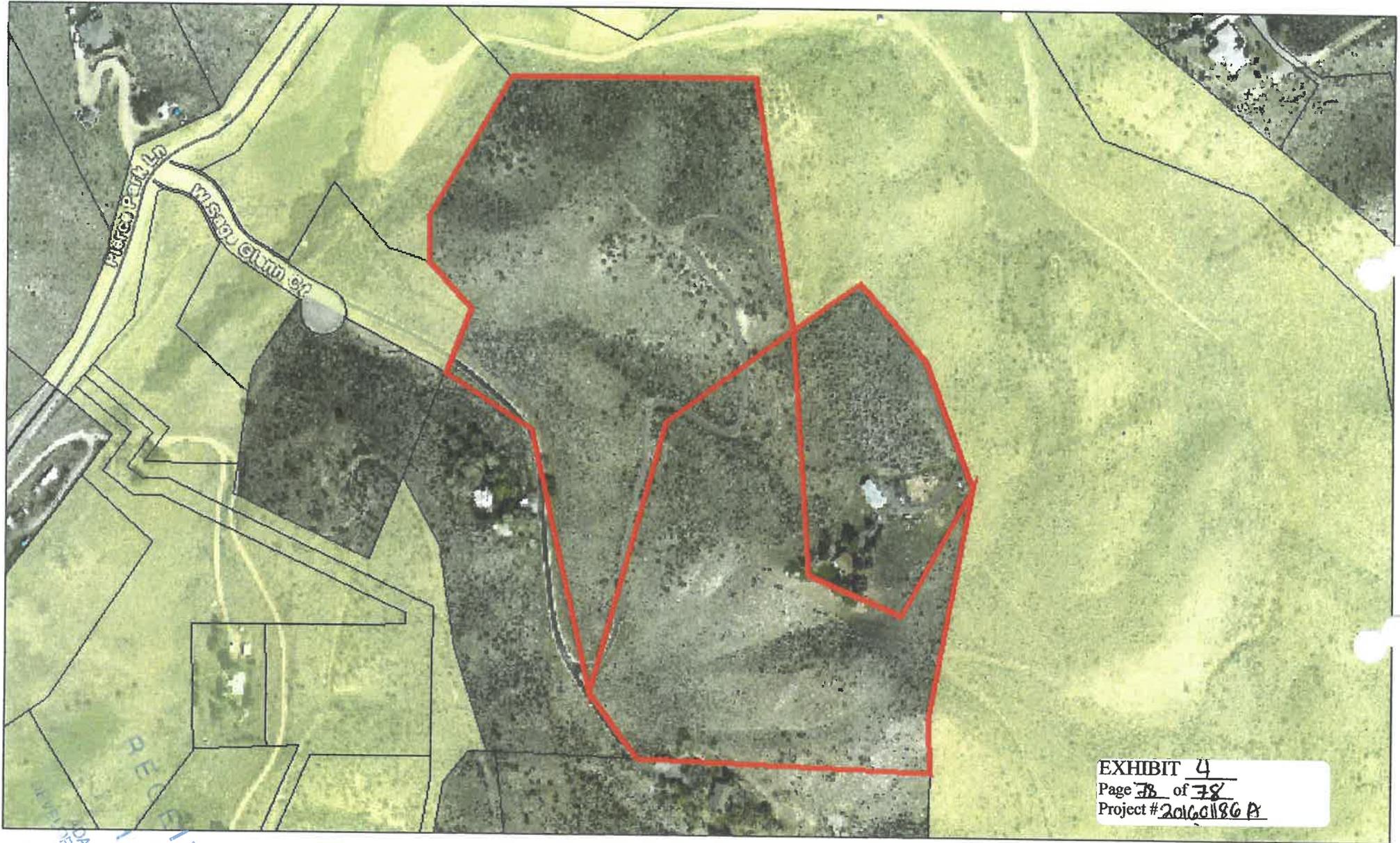


EXHIBIT 4
Page 78 of 78
Project # 20160186 A

- SEARCH Results: **City Limits**
- Parcels
 - BOISE
 - KUNA
 - MERIDIAN
 - GARDEN CITY
 - STAR
 - Parks
 - Street Names
 - Major Streets

0 0.03 0.06 0.12 Miles

Date: 7/12/2016



This map is a user generated static output from an internet mapping site and is for general reference



ADA COUNTY
Development Services Department

Megan M. Leatherman, MCRP
Director

September 16, 2016

Ada County Courthouse
200 West Front Street
Boise ID 83702
208.287.7900
Fax 208.287.7909
www.adacounty.id.gov

Patrick & Jolene Schow
8478 N. Pierce Park Lane
Boise, ID 83714

RE: PROJECT #201601186 A; SCHOW APPEAL

Department Divisions
Building
Engineering & Surveying
Permitting
Planning & Zoning

Dear Mr. & Mrs. Schow,

This is to notify you that your application has been scheduled to be heard by the Ada County Planning and Zoning Commission on **NOVEMBER 9, 2016**. This hearing will begin at 6:00 p.m. and will be held in the Commissioners Main Hearing Room #1235, on the first floor, 200 W. Front Street, Boise, ID. You or your representative must be present.

Ada County Commissioners
Jim Tibbs, First District
Rick Yzaguirre, Second District
David L. Case, Third District

A copy of the staff report will be sent to you (and available online) prior to the meeting. Please contact me if you have any questions or comments regarding this application, the staff report, or any conditions, which may be attached to the staff report. I can be reached at 287-7913 or via e-mail at bdanielson@adaweb.net.

In accordance with State law, "**Notice of Public Hearing**" must be posted on the site. Ada County recently amended the code to require the applicant to post the sign.

The sign is required to be posted ten (10) days in advance of the hearing. If the property is not posted correctly or the certification form is not submitted to Development Services at least seven (7) days prior to the public hearing, the application will be tabled until the next available hearing date. The certification form is available to download on our website at www.adaweb.net/DevelopmentServices. The sign is required to be taken down no later than three (3) days after the final decision. If there are multiple hearings on the application, the sign does not need to be taken down between hearings. However, the sign will need to be updated with the new hearing dates as the application goes through the hearing process.

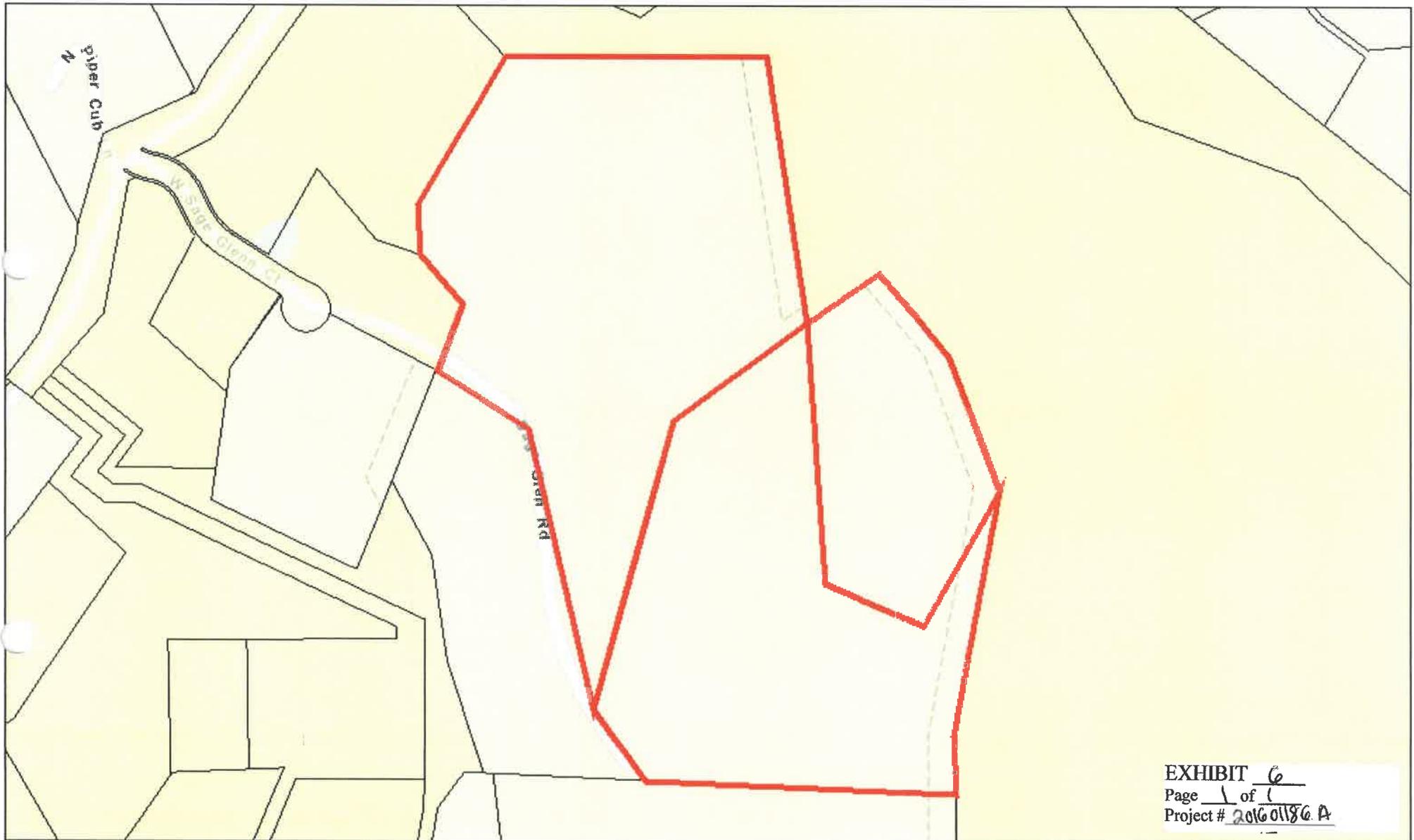
Sincerely,

Handwritten signature of Brent Danielson in cursive.

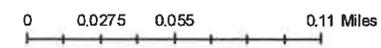
Brent Danielson, AICP
Associate Planner
Ada County Development Services, Planning & Zoning Division

Cc Brian McColl, 3858 N. Garden Center Way, #200, Boise, ID 83703

EXHIBIT 5
Page 1 of 1
Project # 2016 01186 A



- Search Results: **City Limits**
- Parcels
 - BOISE
 - EAGLE
 - GARDEN CITY
 - KUNA
 - MERIDIAN
 - STAR
 - Parks



Date: 7/20/2016



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EXHIBIT 7
Page 1 of 1
Project # 201601186 A

Search Results: — Major Streets
Parcels



Parcels



Parks

Street Names

0 0.03 0.06 0.12 Miles

Date: 7/20/2016

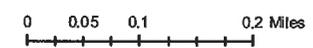


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EXHIBIT 8
 Page 1 of 1
 Project # 20160118G A

- Search Results: **City Limits**
- GARDEN CITY
 - BOISE
 - STAR
 - Parks
 - EAGLE
 - KUNA
 - Street Names
 - MERIDIAN
 - Major Streets
- Parcels



Date: 10/25/2016



This map is a user generated static output from an internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Brent Danielson

From: Brent Danielson
Sent: Thursday, September 22, 2016 8:37 AM
To: chornsby@idahopower.com; amurray@idahopower.com; lbishop@idahopower.com; ddoan@cityofboise.org; rgervais@cityofboise.org; Cecily Willerton; carla.bernardi@cableone.biz; mreno@cdhd.idaho.gov; lbadigia@cdhd.idaho.gov; dfluke@cityofboise.org; sbeecham@cityofboise.org; beggleston@cityofboise.org; ttucker@cityofboise.org; kyokom@cityofboise.org; lflook@cityofboise.org; cmiller@compassidaho.org; msinglet@intgas.com; Darby Weston; Darby Weston; clittle@achdidaho.org; syarrington@achdidaho.org; president@collistercna.org; rgervais@cityofboise.org; rjohnson@cityofboise.org; Mark Ferm; Angela Gilman; Jean Schaffer; Jerry Servatius; rkinney@republicservices.com; jstuber@republicservices.com; Brent Danielson
Cc: Brent Danielson
Subject: Ada County Application Transmittal Notice.



**Ada County Development Services
Planning & Zoning Division Transmittal**

File Number: 201601186-A / PR	X-Reference: NONE
Description: An appeal of the Director's decision for a private road.	
Reviewing Body: BOCC	Hearing Date: 11/9/2016
Applicant: MCCOLL BRIAN	P&Z Recommendation:
Property: The property contains 27.150 acres and is located at 8478 N PIERCE PARK LN BOISE 83714, Section 17 4N 2E.	

Ada County Development Services is requesting comments and recommendations on the application referenced above. To review detailed information about the request please either click on the file number identified above, or visit the Ada County Development Service's Application Tracking System (ATS) web site at gisx.adaweb.net/acdsv2/ and search by file number. Hover over the pushpin that appears on the map with your mouse and select "Additional Info" from the pop-up box. You will then be able to review individual documents, drawings and other information detailing the request.

We request that you submit your comments or recommendations by 10/7/2016. When responding, please reference the file number identified above. If responding by email, please send comments to bdanielson@adaweb.net.

To request a hard copy of materials associated with this application, for additional information, or to provide comment on Ada County's Development Services ATS, please call me at the number listed below.

Sincerely yours,
BRENT DANIELSON, ASSOCIATE PLANNER
200 W Front Street
Boise ID 83702
bdanielson@adaweb.net
(208) 287-7913

EXHIBIT 9
Page 1 of 1
Project # 201601186 A

MEMORANDUM



DATE: 9/22/2016

RE: 201601186-A/PR Schow

TO: Brent Danielson, Associate Planner

FROM: Mark Ferm, Ada County Building Official



Summary of Project:

An appeal of the Director's decision for a private road to the Schow property at 8478 N Pierce Park.

Findings and Conditions:

The Building Division has no objection appeal of the proposed private road.

Conclusion:

Approved as submitted

Mark Ferm
Ada County Building Official
200 W Front Suite 2125
Boise Idaho 83702
Phone 287-7910

markf@adaweb.net

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Page 1 of 1
Project # 201601186 A



CENTRAL DISTRICT HEALTH DEPARTMENT

Environmental Health Division

Return to:

RECEIVED
SEP 30 2016
ADA COUNTY DEVELOPMENT SERVICES

- ACZ
Boise
Eagle
Garden City
Kuna
Meridian
Star

Rezone # 201601186-A/PR

Conditional Use #

Preliminary / Final / Short Plat

Sect 17

- 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 approval 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. This Department would recommend deferral until high seasonal ground water can be determined if other considerations indicate approval.
11. If restroom facilities are to be installed, then a sewage system MUST be installed to meet Idaho State Sewage Regulations.
12. 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
13. Infiltration beds for storm water disposal are considered shallow injection wells. An application and fee must be submitted to CDHD.

14. _____

Reviewed By: Lori Bady
Date: 9/27/14

EXHIBIT 11
Page 1 of 1
Project # 201601186 A

RECEIVED

SEP 30 2016

ADA COUNTY
DEVELOPMENT SERVICES

BOISE CITY PUBLIC WORKS DEPARTMENT

DEPARTMENT CORRESPONDENCE

Date: September 28, 2016

To: Boise City Planning & Zoning

Re: 201601186-A-PR; 8478 N. Pierce Park Ln.

CONDITIONS OF APPROVAL

SEWER CONDITIONS – MIKE SHEPPARD (384-3920)

No comment.

DRAINAGE/STORMWATER CONDITIONS – BRIAN MURPHY (384-3752)

No comment.

STREET LIGHT CONDITIONS – TOM MARSHALL (388-4719)

No comment.

**Rob
Bousfield**

Digitally signed by
Rob Bousfield
Date: 2016.09.30
09:39:46 -06'00'

PUBLIC WORKS REPRESENTATIVE

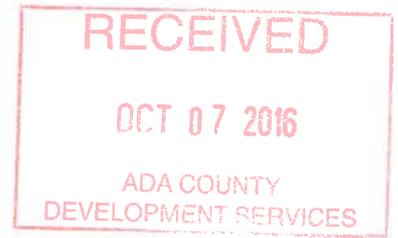
**Mike
Sheppard, P.E.**

Digitally signed by
Mike Sheppard, P.E.
Date: 2016.09.30
09:40:24 -06'00'

PUBLIC WORKS REPRESENTATIVE

Brent Danielson

From: Ronald Johnson <rjohnson@cityofboise.org>
Sent: Friday, October 07, 2016 10:56 AM
To: Brent Danielson
Subject: 201601186-A / PR
Attachments: Schow Access Rd Preliminary Review.pdf



Hi Brent,
I don't have any further comments beyond the attached letter from Jun 21, 2016.

Thanks,



Ron Johnson
Division Chief – Assistant Fire Marshal

(208) 570-6571 -Office
(208) 250-7005 -Cell

rjohnson@cityofboise.org

333 N. Mark Stall Place
Boise, ID 83704

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Project # 201601186 A



Dennis Doan
Chief

City Hall West
333 N. Mark Stall Place
Boise, Idaho 83704-0644

Phone
208/570-6500

Fax
208/570-6586

TDD/TTY
800/377-3529

Web
www.cityofboise.org/fire



Mayor
David H. Bieter

City Council
President
Maryanne Jordan

Council Pro Tem
David Eberle

Elaine Clegg
Lauren McLean
TJ Thomson
Ben Quintana

Fire Department

June 21, 2016

Patrick and Jolene Schow
8478 N. Pierce Park Ln.
Boise, ID 83714

Re: Schow Access Road

Dear Pat and Jolene,

I have reviewed the attached Schow Access Road drawing, Sheet C-1.0, prepared by Sage Engineering. It depicts a proposed turnout to be constructed at the point your new private road enters your property. This is acceptable to Boise Fire Department. It is expected that any future development of your property will include improving the driveway to match IFC requirements, including but not limited to a fire apparatus turn-around area near the end of the driveway.

Regards,

Ron Johnson
Division Chief – Assistant Fire Marshal
Boise Fire Department



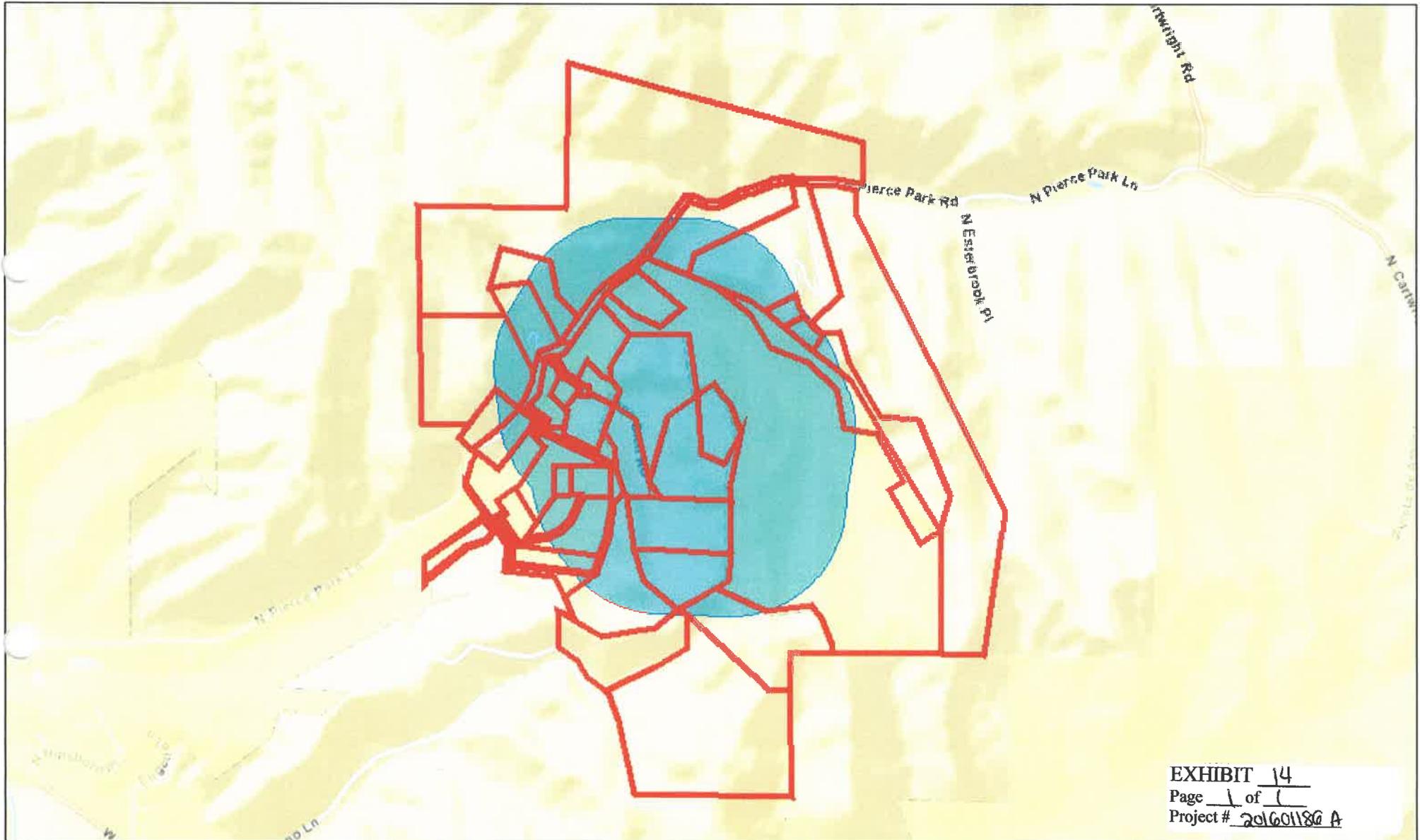
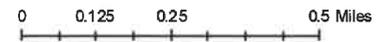


EXHIBIT 14
 Page 1 of 1
 Project # 201601186 A

- Search Results: Parcels
- EAGLE
 - MERIDIAN
 - GARDEN CITY
 - STAR
 - KUNA
 - Parks
 - BOISE



Date: 10/17/2016



This map is a user generated static output from an internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

PRIMOWNER
AASE'S CANYON POINTE DEVELOPMENT LLC
BEAVER REX &
BROZ MARK &
CITY DEVELOPMENT INC
CRUM SONYA L &
DUNLAP C MICHAEL &
HOWARD JAMES J
KERSTEIN CHESTER & JOANN TRUST
LEASURE LARRY &
LOEBER EVELYN
MONTGOMERY TRACI A &
OJCF-BOISE 2000 LLC
PIERCE GULCH FARM LLC
PIERCE PARK STABLES LLC
RESERVE AT DEER VALLEY LLC
ROYCE MARILYN
RUSSELL ROBERT & DALE LIVING TRUST
SCHOW PATRICK & JOLENE FAMILY TRUST
SCHWARTZMAN ALAN M &
WALTHER & KEHNE FAMILY REVOCABLE TRUST
WILLIAMS LARRY &
WONG LIK &
WORTHAM GENE R &

SECOWNER
JOLENE
LORRAINE

BILLIE G JR
MARGARET A

ILENE

JAMES H

MARY R

MARIANNE
CHEN NINGERH
ALICE K

ADDCONCAT
8989 S SCHOFIELD CIR
4270 W DEER TRAIL LN
8420 N PIERCE PARK LN
PO BOX 140671
2924 W DEERFIELD CT
5256 N COUGAR FLAT PL
8815 N PIERCE PARK LN
2100 S ARTESIAN RD
PO BOX 1277
PO BOX 1727
4100 W DEER TRAIL LN
1618 SW 1ST AVE STE 210
4740 W SAGE GLENN CT
9400 N PIERCE PARK
PO BOX 1277
8200 N PIERCE PARK LN
6091 E GATEWAY CT
8478 N PIERCE PARK LN
8454 N PIERCE PARK LN
12992 N TOWNE RIDGE RD
PO BOX 8126
4304 W DEER TRAIL LN
5620 W HILL RD

STATCONCAT
SANDY, UT 84093-0000
BOISE, ID 83714-0000
BOISE, ID 83714-0000
BOISE, ID 83714-0000
EAGLE, ID 83616-2340
MERIDIAN, ID 83646-0000
BOISE, ID 83714-0000
EAGLE, ID 83616-0000
BOISE, ID 83701-0000
RICHLAND, WA 99352-0000
BOISE, ID 83714-0000
PORTLAND, OR 97201-0000
BOISE, ID 83714-0000
BOISE, ID 83714-0000
BOISE, ID 83701-0000
BOISE, ID 83714-0000
BOISE, ID 83716-0000
BOISE, ID 83714-0000
BOISE, ID 83714-2505
BOISE, ID 83714-0000
BOISE, ID 83707-0000
BOISE, ID 83714-0000
BOISE, ID 83703-2950

ADA COUNTY DEVELOPMENT SERVICES
200 W FRONT ST BOISE ID 83702



October 18, 2016

Dear Property Owner:

LEGAL NOTICE IS HEREBY GIVEN THAT the Board of Ada County Commissioner's will hold a public hearing on **November 9, 2016** at 6:00 p.m. in the Commissioners Main Hearing Room #1235, on the first floor, 200 W. Front Street, Boise, ID, to hear the following:

201601186-A, An appeal of the Director's decision for a private road. The property contains 27.150 acres and is located at 8478 N. Pierce Park Lane in Section 17, T. 4N, R. 2E, Boise, ID.

Contact, Brent Danielson, AICP, Associate Planner, at 287-7913 for more information.

This is an Official Notice of Public Hearing regarding the use of a property near your own. You have been notified because records indicated that you own property near or within **1,000'** of the applicant's project boundary. You are invited to attend the public hearing and offer your comments for consideration. If you are unable to attend, you may send comments to our office before the hearing date, and they will be entered in the public hearing record.

This application can be viewed by completing the following:

- 1 Type <http://gisx.adaweb.net/acdsv2>
- 2 Enter "**201601186-A**" in search application by file number.
- 3 Click on 'Application Information'.
- 4 Review documents by clicking on 'Supporting Documents.

5 days prior to the hearing you can go to <https://adacounty.id.gov> to view the agenda or staff report.



NOTES:

- This item may not be heard at the scheduled time of 6:00 p.m. , as multiple items may be considered during the hearing.
- Video, audio, PowerPoint, or other computer-generated visuals used to present testimony, must be provided to the Planner ½ hour prior to the start of the hearing: file format compatibility cannot be guaranteed.
- Auxiliary aids or services for persons with disabilities are available upon request. Please call 287-7900 or 287-7979 (TDD) three days prior to this public hearing to make arrangements.

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Page 1 of 1
Project # 201601186 A

LEGAL NOTICE OF PUBLIC HEARING Legal notice is hereby given that the Board of Ada County Commissioners will hold a public hearing on November 9, 2016 at 6:00 p.m. in the Commissioners Main Hearing Room #1235, on the first floor, 200 W. Front Street, Boise, ID, to hear a request for: 201601093-PR-S, B & A ENGINEERS INC; Preliminary plat and private road application for a 2 lot residential subdivision in a Residential Urban Transition (RUT) zone. The private road is proposed to be 20-foot wide and taking access from McMillan Road. One parcel is proposed to be 5.05-acres. The second parcel is 18.46-acres. The property contains 23.97 acres and is located at 7230 W. McMillan Rd. Meridian, ID 83646 in Sections 29, T. 4N., R. 1W. Kristy Inselman 287-7998. 201601186-A, MCCOLL BRIAN; An appeal of the Director's decision for a private road. The property contains 27.15 acres and is located at 8478 N. Pierce Park Ln., Boise, ID 83714 in Sections 17, T. 4N., R. 2E. Brent Danielson 287-7913. 201601297-CPA, ADA COUNTY DEVELOPMENT SERVICES; Ada County 2025 is the update to the County's Comprehensive Plan. The updated Comprehensive Plan will serve as a policy guide for the growth and physical development of unincorporated Ada County, outside Areas of City Impact, over the next ten years. Megan Basham 287-7944. 201601337-ZC-OTD-DA, CANTLON VICKI; A zoning ordinance map amendment to rezone the subject property from the Rural Preservation (RP) District to the Rural Residential (RR) District with a Development Agreement. Also, an application for a one time division to create an 11.43 acre parcel from the subject property. The property contains 40 acres and is located at 8401 S. Cole Rd., Boise, ID 83709 in Section 12, T. 2N, R. 1E. Brent Danielson 287-7913. 201601575-PBA-VAC, FOX LAND SURVEYS INC; Application to adjust property lines between lots 3 and 4 Block 1 Springwood Subdivision to allow for the placement of an accessory structure. A vacation of the easements along the existing property line is also a part of this application. The property contains 15.07 acres and is located at 701 & 899 S. Crystal Springs Ln., Star, ID 83669 in Section 16, T. 4N., R. 1W. Diana Sanders 287-7905. 201601663-CU-MSP-V. TONY BROWN; Conditional use, master site plan, and variance application for a Contractors yard in a Rural Residential (RR) District. The applicant is proposing to store three boom trucks with trailers for a cable company. The property contains 5.24 acres and is located at 4664 N. Skyline Dr., Eagle, ID 83616 in Sections 30, T. 5N., R. 1E. Kristy Inselman 287-7998. 201601703-V-AC, HODGES SEUMAS EMILY; An accessory use application to add onto an existing accessory structure resulting in accessory structure consisting of 1,812 square feet. Also, a request for a variance seeking relief from the specific use standard that requires accessory structures in the front yard to not exceed fifty percent (50%) of the square footage of the footprint of the principal permitted dwelling or

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 Page 1 of 2
 Project # 201601186 A

1,500 square feet, whichever is less. The property contains 2.466 acres and is located at 505 W. Columbia Rd., Meridian, ID 83642 in Section 12, T. 2N, R. 1W. Brent Danielson 287-7913. Staff Reports Available On-Line 5 Days before Hearing Date adaweb.net Auxiliary aids or services for persons with disabilities are available upon request. Please call 287-7900 or 287-7979 (TDD) by 5:00 p.m. three days prior to this public hearing so that arrangements can be made. BOARD OF ADA COUNTY COMMISSIONERS Mark Perfect, Planning & Zoning Administrator Pub. Oct. 18, 2016 **Publish Dates:** 10/18/2016-11/1/2016

EXHIBIT 17
Page 2 of 2
Project # 201601180 A



Planning & Development Services

October 19, 2016



Derrick O'Neill
Director

Boise City Hall
150 N. Capitol Boulevard

Mailing Address
P. O. Box 500
Boise, Idaho 83701-0500

Phone
208/384-3830

Fax
208/384-3814

TDD/TTY
800/377-3529

Web
www.cityofboise.org/pds

Mayor
David H. Bieter

City Council
President
Elaine Clegg

Council Pro Tem
Lauren McLean

Maryanne Jordan
Scott Ludwig
Ben Quintana
TJ Thomson

Brent Danielson, Associate Planner
Ada County Development Services Department
200 W. Front Street
Boise ID 83702

Re: Case # 201601186-A/ PR, 8478 North Pierce Park Lane, for a driveway/private road appeal to the administrator's decision

Dear Mr. Danielson,

The above proposal is found in the Boise Foothills Planning Area with "Buildable" Land Use designation in the *Blueprint Boise Comprehensive Plan*. It is contiguous to the Boise City limits on the north side.

It resides in the RP Zone (Rural Preservation, 1 unit/40 acres), in which the proposed residential uses are allowed.

The parcel is used for residential purposes. The applicant is requesting an appeal from the Development Services Director's findings concerning the requirements for a driveway or private road to the parcel that would meet the requirements for issuing future building permits for expansion or new structures on the parcel.

The issue in question seems to be the requirement for a 45-foot radius fire equipment turn-around. The Schows have an approval letter from Boise City Fire Division Chief Ron Johnson that supports the current turn-around. The Schows also have met with Planning and Development Services staff and have received verbal guidelines for the private road. This is in effect that the Schow's proposed private road "does not trigger and development activity and the city would have no requirements, or assert any type of concurrent jurisdiction."

In review of this application, I received the following e-mail from Leon Letson, Associate Planner at Boise Planning and Development Services Department that further details support for the Schow's request in the current appeal.

RECEIVED

OCT 19 2016

ADA COUNTY
DEVELOPMENT SERVICES

From: Leon Letson

Sent: Wednesday, October 19, 2016 8:46 AM

To: Bruce Eggleston <Beggleston@cityofboise.org>; Todd Tucker <TTucker@cityofboise.org>

Subject: RE: Ada County referral 201601186-A / PR, 8478 N Pierce Park Ln-DetailedLetter.pdf

Reviewing the letter from the Schow's attorney, I believe their reasoning is sound. Remodeling an existing single-family home does not trigger the requirement for a new private road, particularly when an improved driveway exists. As for their decision to include a turn around, they can do this at their will. If the Fire Department isn't requiring it, there shouldn't be any standards to apply. Best practice, however, would be to understand the Fire Departments standards and construct things accordingly.

Thanks,

Leon

Planning and Development Services has no specific requirements for this case from the Development Code because the establishment of a private road by itself does not invoke regulation related to development. The applicant's request is reasonable, and has been reviewed by the Boise Fire Department and found support there for their plan. The applicant's proposal is supported by Planning and Development Services for the above stated reasons.

Sincerely,

Bruce Eggleston, AICP

Boise Planning and Development Services Department
150 North Capitol Boulevard
Boise, Idaho 83701

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Project # 201601186 A



ADA COUNTY
Development Services Department

Planning & Zoning Division

Megan M. Leatherman, MCRP, Director

MEMO

To: Board of Ada County Commissioners
From: Brent Danielson, AICP, Associate Planner
Date: November 9, 2016
Re: **Project #201601186 A**

Dear Board,

The appellant has requested for this item to be tabled. Staff recommends for this item to be tabled to the Board's December 14, 2016 public hearing.

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Project # 201601186 A

RECEIVED

OCT 26 2016

ADA COUNTY
DEVELOPMENT SERVICES

Brent Danielson

From: Ronni Christianson <ronni@wilsonmccoll.com>
Sent: Wednesday, October 26, 2016 4:36 PM
To: Brent Danielson; Jolene Schow (joleneschow@gmail.com)
Cc: Brian McColl
Subject: [EXTERNAL] RE: Sign Posting Reminder for Project #201601186 A

Brent,

As we discussed, on behalf of Patrick and Jolene Schow, we would like to table the hearing on the appeal of the above referenced application. It is our intent to submit a revised site plan with a proposed turnaround. If that is approved, we then would want to document the file clearly stating that the conditions of approval are applicable only to the turnaround, and that when these conditions of approval are subsequently met the Schows' property will have satisfied the frontage and access requirements through an approved private road.

Brian

Ronni Christianson
Legal Assistant to Brian F. McColl

WORST, FITZGERALD & STOVER, PLLC
OF COUNSEL
WILSON & MCCOLL
3858 North Garden Center Way, Suite 200
Boise, ID 83703
P.O. Box 1544, Boise, ID 83701-1544
(208) 345-9100 | Fax: (208) 384-0442
Brian McColl's direct line 208-345-9102
ronni@wilsonmccoll.com
www.magicvalleylaw.com

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From: Brent Danielson [<mailto:bdanielson@adaweb.net>]
Sent: Monday, October 24, 2016 10:30 AM
To: Jolene Schow (joleneschow@gmail.com)
Cc: Brian McColl; Ronni Christianson
Subject: Sign Posting Reminder for Project #201601186 A

Jolene,

I just want to give you a quick reminder that the public hearing notice signs will need to be put up at least ten (10) days before the public hearing and the sign posting certification form along with pictures of the signs need to be sent to me at least seven (7) days prior to the public hearing.

You will need to post a sign on your property as well as a sign at the end of Sage Glen Court.

Since the application is an appeal the signs may consist of an (11" x 17") yellow laminated paper or other similar material mounted to a rigid surface of equal size and attached to a director approved support.



Brent Danielson, AICP
Associate Planner

**Ada County Development
Services**
200 W. Front St., Boise, ID 83702
(208) 287-7913 office
(208) 287-7909 fax

<http://www.adacounty2025.com>

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