

Valley County Planning & Zoning
Cynda Herrick, Director

PO Box 1350 • 219 North Main Street
Cascade, ID 83611-1350



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STAFF REPORT

Vacation Application 21-06
Vacation of a Portion of San Ignacio Way
and Associated Utility, Drainage, and Snow Storage Easements.

MEETING DATE: September 9, 2021
TO: Planning and Zoning Commission
STAFF: Cynda Herrick, AICP, CFM
APPLICANT: Julie Uranga
5000 N Riverfront DR
Boise, ID 83714
LOCATION: Private Road Right-of-Way in Eagle Nest Subdivision No. 2
NENW Section 20, T.14N, R.4E, Boise Meridian,
Valley County, Idaho.
REQUEST: Vacate a portion of San Ignacio Way and Associated Utility,
Drainage, and Snow Storage Easements
EXISTING LAND USE: Bare Land

BACKGROUND:

Julie Urango is requesting a vacation of a portion of a private road right-of-way and the associated easements.

This portion of road was originally a cul-de-sac for the terminus of San Ignacio Way. The road has now been continued into the adjacent Eagle Nest Subdivision No. 3.

The road right-of-way is located adjacent to Eagle Nest Subdivision No. 2, Lot 12, Block 1, addressed at 17 San Ignacio Way. If vacated the land would become the property of the adjoining owner.

The attached preliminary plat for Eagle Nest Subdivision No. 3 shows the extension of the road from Eagle Nest Subdivision No. 2,

The road is owned and maintained by the Eagle Nest Property Owners Association.

Eagle Nest Subdivision No. 2 was recorded at Book 9, Page 25, on December 3, 2003.
Eagle Nest Subdivision No. 3 was recorded at Book 13, Page 66, on August 3, 2020.

FINDINGS:

1. The application was received on August 3, 2021.
2. Legal notice was posted in the *Star News* on August 19, 2021, and August 26, 2021. Potentially affected agencies were notified on August 10, 2021. Neighbors within 300 feet of the property line were notified by fact sheet sent August 10, 2021. The site was posted on August 31, 2021. The notice and application were posted online at www.co.valley.id.us/public-hearing-information on August 10, 2021.

3. Agency comment received:

Central District Health has no objections the proposal. (August 12, 2021)

4. Neighbor comment received: none

5. Valley County Code:

10-6-2: VACATIONS OF PLATS, PUBLIC RIGHTS OF WAY OR EASEMENTS:

- A. Filing Of Application Required: An applicant wishing to vacate an existing subdivision, portion thereof, public right of way, or easement shall complete and file with the administrator an "application for total or partial vacation of an existing subdivision or other public right of way". This action shall be supplemental to, and in no way in conflict with, the applicant's obligation to comply with the provisions contained in Idaho Code sections 50-1317 through 50-1325.
- B. Placement On Commission Agenda: Upon receipt of the completed application, the administrator shall place said application on the agenda of the commission to be considered at its next regular meeting, subject to the same time limits prescribed for preliminary plat applications.
- C. Commission Review: The commission shall review the proposed vacation with regard to future development of the neighborhood. The commission shall also take into consideration the interests of adjacent property owners, of utilities, and of various public agencies where pertinent to the application.
- D. Commission Recommendation: Within ten (10) days, the commission shall make its recommendation concerning the application to the board who shall hold a public hearing and give such public notice as required by law.
- E. Board Action: The board may approve, deny or modify the application and shall record its action in the official minute book of the meetings of the board. Whenever public rights of way or lands are vacated, the board shall provide adjacent property owners with a quitclaim deed, as prepared by the applicant, for said vacated rights of way in such proportions as are prescribed by law. (Ord. 10-07, 8-26-2010)

SUMMARY:

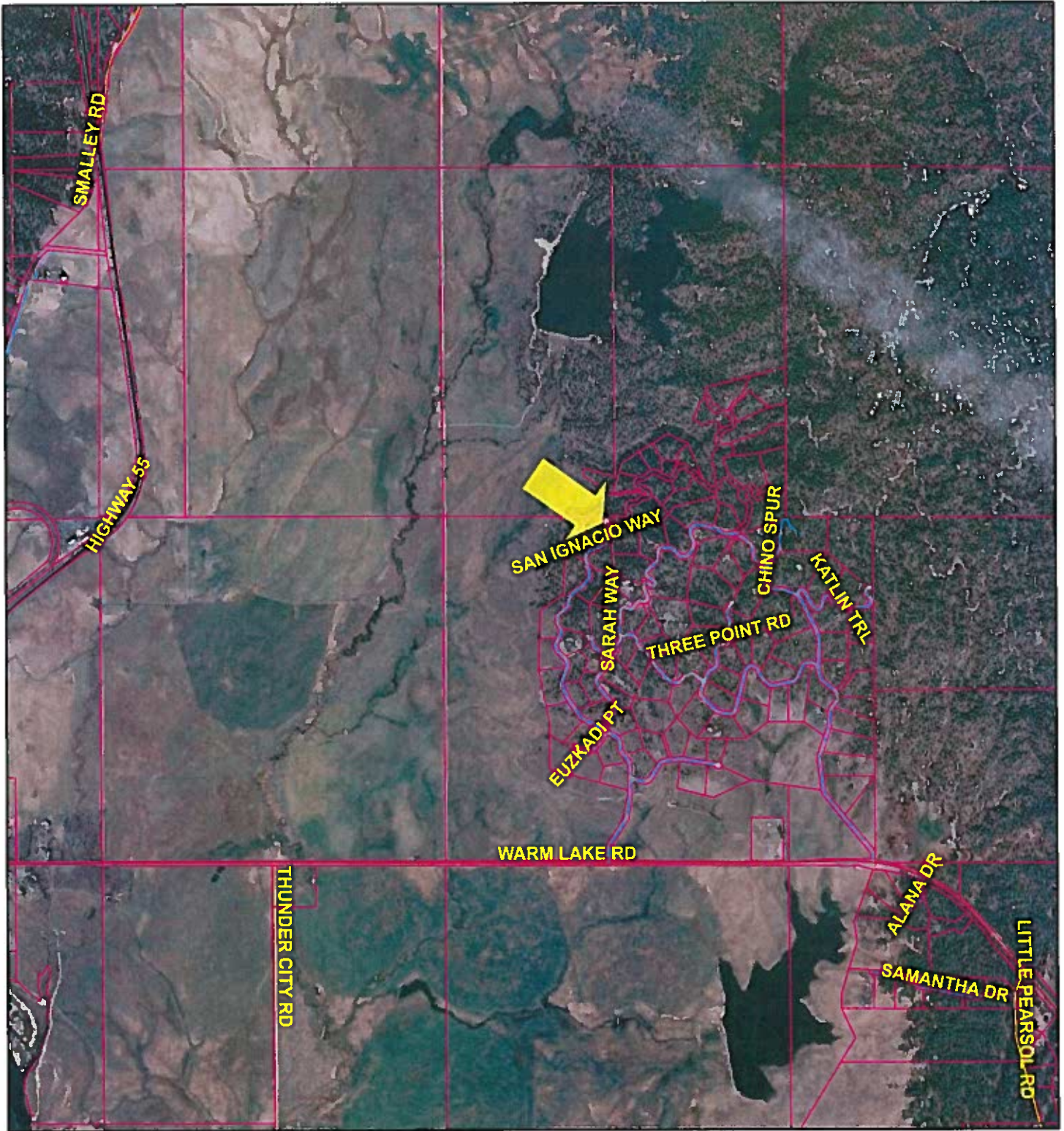
- The Planning and Zoning Commission needs to determine if the future development of the neighborhood would be inhibited by the vacation.
- The Planning and Zoning Commission decision would be a recommendation to the Board of County Commissioners.
- A deed will need to be prepared by the applicant to convey the property along the road-right-of-way to the adjacent property owner. The Eagle Nest Property Owners' Association will be the grantor.
- The Board of County Commissioners will be signing the Declaration of Vacation.

ATTACHMENTS:

- Vicinity Map
- Aerial Map
- Subdivision Plat – Eagle Nest No. 2
- Preliminary Plat for Eagle Nest Subdivision No. 3
- Survey Showing Requested Vacation of Roadway and Easements
- Pictures taken August 31, 2021
- Responses

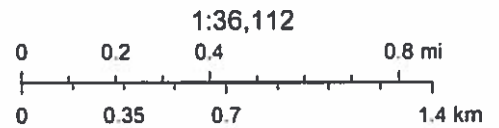
END STAFF REPORT

VAC 21-06



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- Parcel Boundaries
- All Road Labels
- Roads
- MAJOR
- MINOR COLLECTOR
- URBAN/RURAL
- PRIVATE



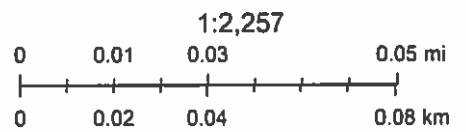
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VAC 21-06



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- Parcel Boundaries
- Addresses
- All Road Labels
- Roads
- PRIVATE



Maxar, Microsoft

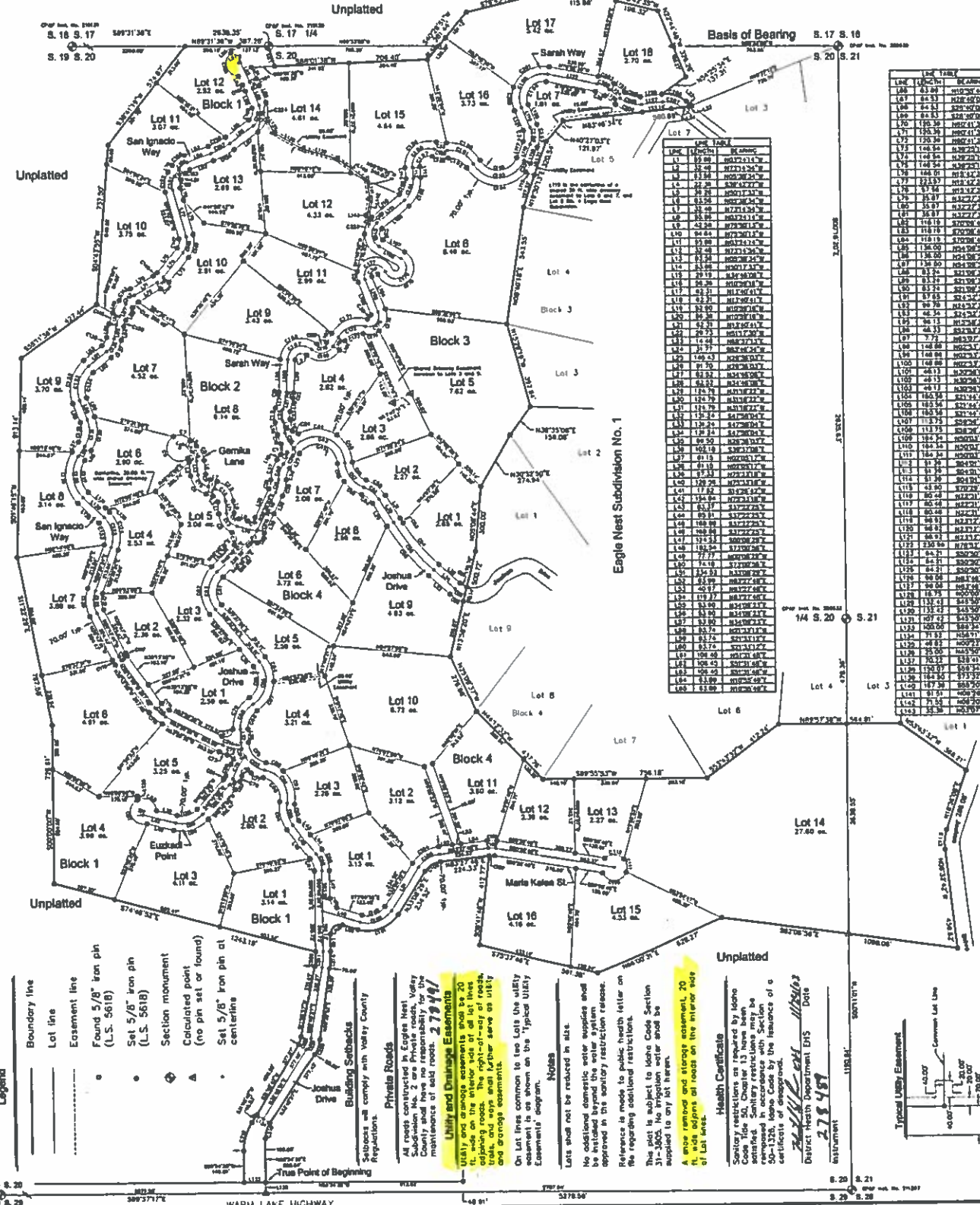
GRAPHIC SCALE
(IN FEET)
1 inch = 300 ft.

Eagle Nest Subdivision No. 2

Located in Sections 17, 20 and 21, T. 14 N., R. 4 E., B.M., Valley County, Idaho

Lot 1	2.21 ac.	100.00'	100.00'
Lot 2	2.21 ac.	100.00'	100.00'
Lot 3	2.21 ac.	100.00'	100.00'
Lot 4	2.21 ac.	100.00'	100.00'
Lot 5	2.21 ac.	100.00'	100.00'
Lot 6	2.21 ac.	100.00'	100.00'
Lot 7	2.21 ac.	100.00'	100.00'
Lot 8	2.21 ac.	100.00'	100.00'
Lot 9	2.21 ac.	100.00'	100.00'
Lot 10	2.21 ac.	100.00'	100.00'
Lot 11	2.21 ac.	100.00'	100.00'
Lot 12	2.21 ac.	100.00'	100.00'
Lot 13	2.21 ac.	100.00'	100.00'
Lot 14	2.21 ac.	100.00'	100.00'
Lot 15	2.21 ac.	100.00'	100.00'
Lot 16	2.21 ac.	100.00'	100.00'
Lot 17	2.21 ac.	100.00'	100.00'
Lot 18	2.21 ac.	100.00'	100.00'

Block 1	11.105 ac.	500.00'	500.00'
Block 2	11.105 ac.	500.00'	500.00'
Block 3	11.105 ac.	500.00'	500.00'
Block 4	11.105 ac.	500.00'	500.00'



- Legend**
- Boundary line
 - Lot line
 - Easement line
 - Found 5/8" iron pin (L.S. 5616)
 - Set 5/8" iron pin (L.S. 5616)
 - Section monument
 - Calculated point (no pin set or found)
 - Set 5/8" iron pin at centerline

Building Setbacks
Subgraps will comply with Valley County Regulations.

Private Roads
All roads constructed by Eagle Nest Subdivision No. 2 are Private roads. Valley County shall have no responsibility for the maintenance of said roads. **278484**

Utility and Drainage Easements
Utility and drainage easements shall be 20 ft. wide on the interior side of all lot lines adjoining roads. The right-of-way of roads, utility easements, and drainage easements shall be 20 ft. wide adjacent to roads on the interior side of lot lines.

Notes
Lots shall not be reduced in size.
No additional domestic water supplies shall be installed beyond the water supply reference in the sanitary restriction. Reference is made to public health letter on file regarding additional restrictions.
This plat is subject to Idaho Code Section 31-2005. No irrigation water shall be applied to any lot herein.
A 20-foot wide easement for utility and drainage shall be shown on the interior side of Lot lines.

Health Certificate
Sanitary restrictions as required by Idaho Code Section 31-2005 shall be observed. Sanitary restrictions may be obtained in accordance with Section 50-1326, Idaho Code by the issuance of a certificate of health by the health officer.

District Health Department DHS Date
278484
INSTRUMENT

Lot Area Table

Lot No.	Area (Ac.)	Area (Sq. Ft.)
1	2.21	152,800
2	2.21	152,800
3	2.21	152,800
4	2.21	152,800
5	2.21	152,800
6	2.21	152,800
7	2.21	152,800
8	2.21	152,800
9	2.21	152,800
10	2.21	152,800
11	2.21	152,800
12	2.21	152,800
13	2.21	152,800
14	2.21	152,800
15	2.21	152,800
16	2.21	152,800
17	2.21	152,800
18	2.21	152,800

Block Area Table

Block No.	Area (Ac.)	Area (Sq. Ft.)
1	11.105	763,600
2	11.105	763,600
3	11.105	763,600
4	11.105	763,600

Typical Utility Easement

Survey Data Table

Station	Angle	Distance
1	111.00°	100.00'
2	111.00°	100.00'
3	111.00°	100.00'
4	111.00°	100.00'
5	111.00°	100.00'
6	111.00°	100.00'
7	111.00°	100.00'
8	111.00°	100.00'
9	111.00°	100.00'
10	111.00°	100.00'
11	111.00°	100.00'
12	111.00°	100.00'
13	111.00°	100.00'
14	111.00°	100.00'
15	111.00°	100.00'
16	111.00°	100.00'
17	111.00°	100.00'
18	111.00°	100.00'

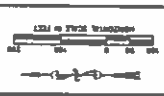
Area Summary Table

Block 1	11.105 ac.
Block 2	11.105 ac.
Block 3	11.105 ac.
Block 4	11.105 ac.
Unplatted	11.105 ac.
Total	44.420 ac.

Final Survey Data Table

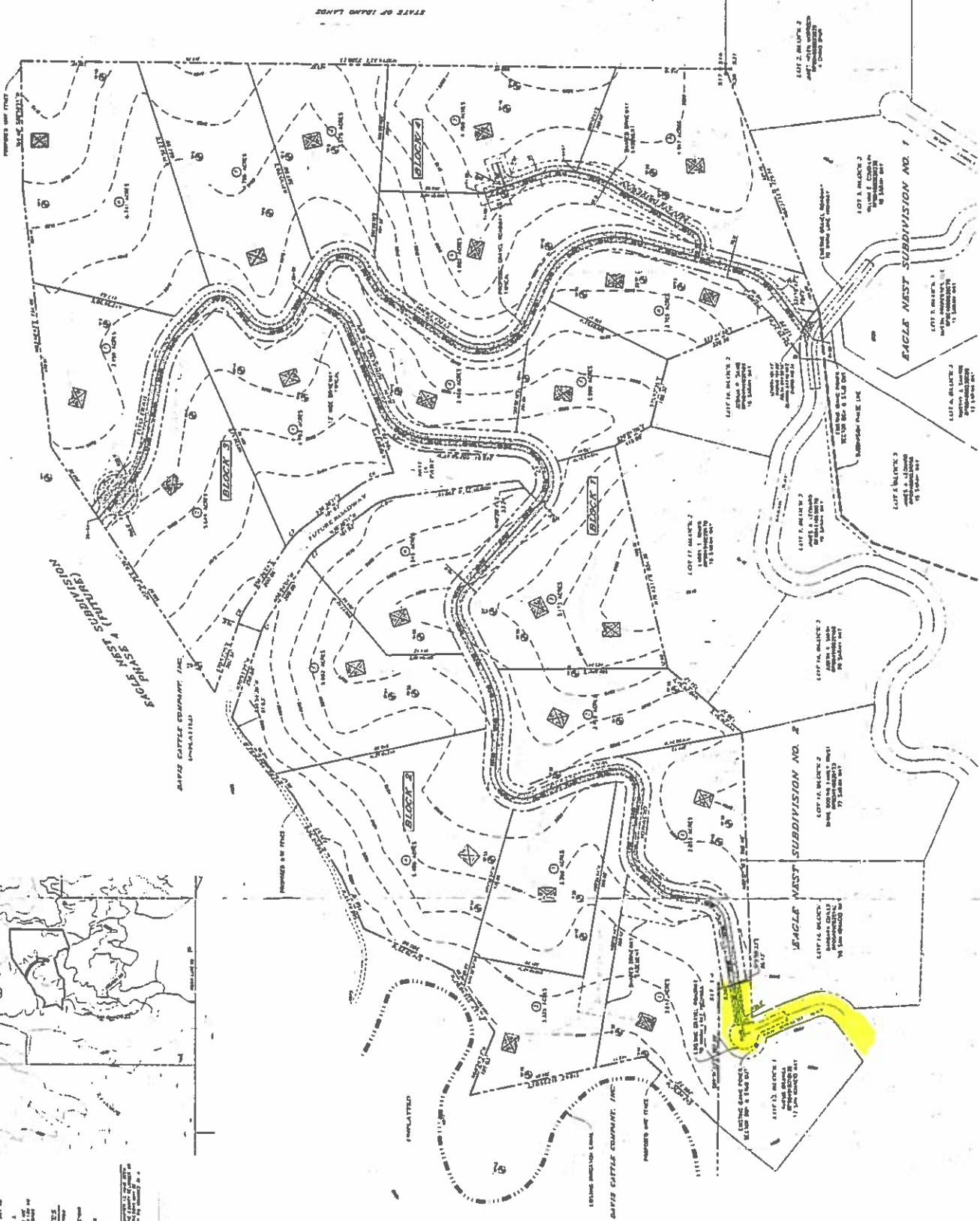
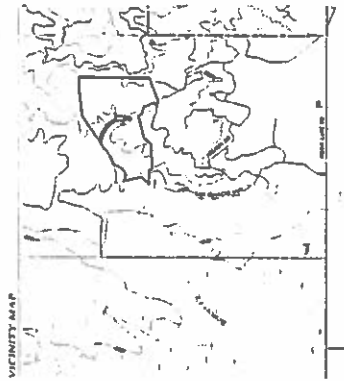
Point	X (ft)	Y (ft)
1	100.00	100.00
2	200.00	100.00
3	300.00	100.00
4	400.00	100.00
5	500.00	100.00
6	600.00	100.00
7	700.00	100.00
8	800.00	100.00
9	900.00	100.00
10	1000.00	100.00
11	1100.00	100.00
12	1200.00	100.00
13	1300.00	100.00
14	1400.00	100.00
15	1500.00	100.00
16	1600.00	100.00
17	1700.00	100.00
18	1800.00	100.00
19	1900.00	100.00
20	2000.00	100.00

PRELIMINARY PLAT EAGLE NEST SUBDIVISION NO. 3



PROJECT: **EAGLE NEST SUBDIVISION NO. 3**
PRELIMINARY PLAT
LOCATED IN A PORTION OF SECTION 36, 20
T14N, R14E, S11W, WASHINGTON COUNTY, IOWA

SECTION: **36**
T14N, R14E, S11W
WASHINGTON COUNTY, IOWA
SHEET: **C71.0**



NOTES:
1. THE SUBDIVISION IS SHOWN AS A PRELIMINARY PLAT.
2. THE PLAT IS SUBJECT TO ALL RECORDS ON FILE AT THE REGISTER OF DEEDS OFFICE.
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GENERAL DISTRICT HEALTH NOTE:
THE DISTRICT HEALTH OFFICER HAS REVIEWED THIS PLAT AND HAS DETERMINED THAT IT COMPLIES WITH THE REQUIREMENTS OF CHAPTER 424 OF THE IOWA CODE.
DATE OF REVIEW: 11/15/2023
OFFICIAL SIGNATURE: _____
TITLE: DISTRICT HEALTH OFFICER

LEGEND:
- - - - - UNIMPROVED ROAD
- - - - - IMPROVED ROAD
- - - - - UNIMPROVED SIDEWALK
- - - - - IMPROVED SIDEWALK
- - - - - UNIMPROVED UTILITY
- - - - - IMPROVED UTILITY
- - - - - UNIMPROVED EASEMENT
- - - - - IMPROVED EASEMENT
- - - - - UNIMPROVED RIGHT-OF-WAY
- - - - - IMPROVED RIGHT-OF-WAY

LEGEND (continued):
- - - - - UNIMPROVED FENCE
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- - - - - UNIMPROVED SIGN
- - - - - IMPROVED SIGN
- - - - - UNIMPROVED LIGHT
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LOT NO.	OWNER	ACRES
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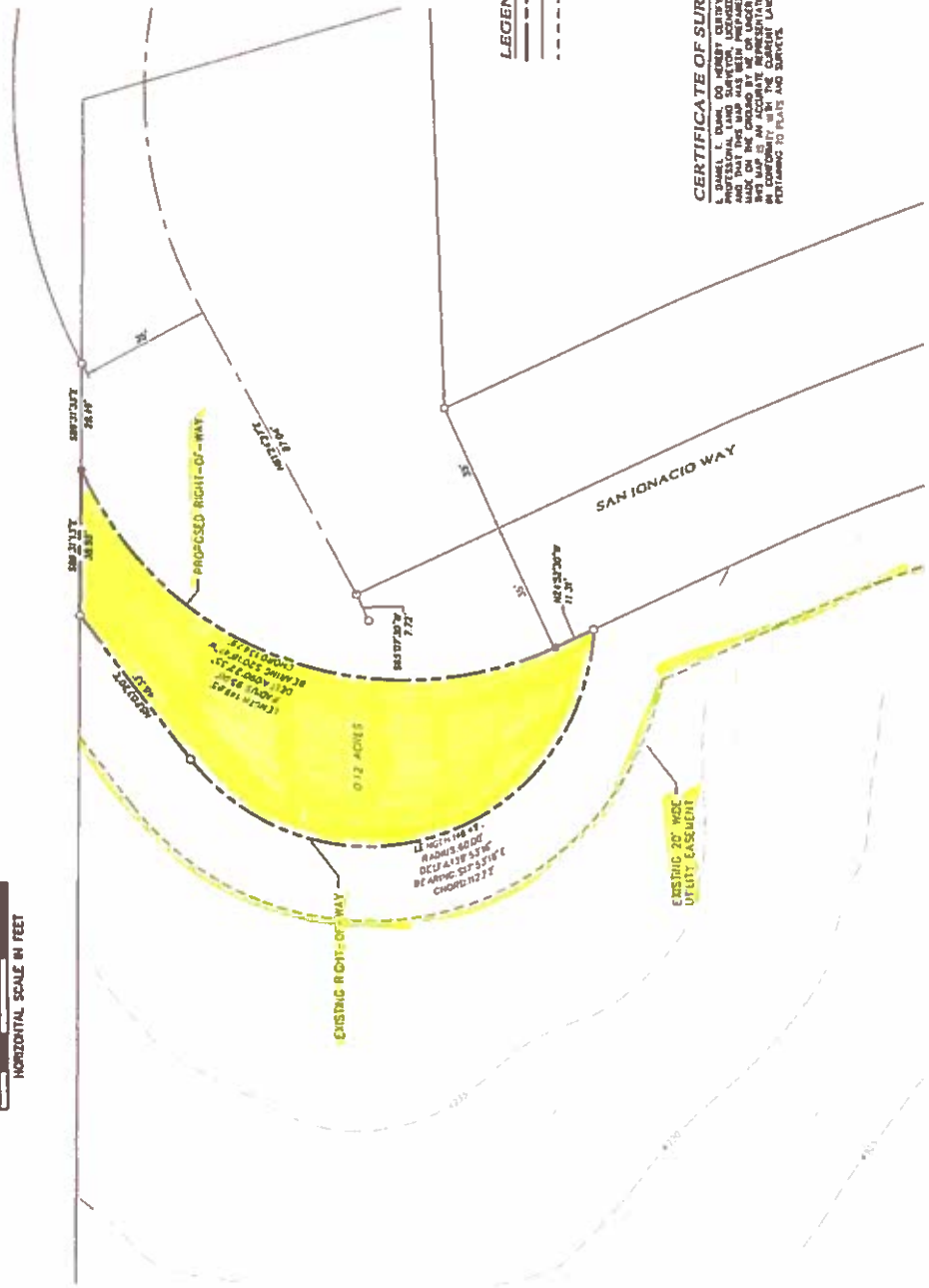
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RECORD OF SURVEY
RIGHT-OF-WAY VACATION
LOT 12, BLOCK 1
EAGLE NEST SUBDIVISION NO. 2
SECTION 20
T.14N., R.4E., B.M.
VALLEY COUNTY, IDAHO,
2020

BASIS OF BEARING
 BEARING AND DISTANCE
 FROM A
 CONTROL POINT TO ANOTHER
 CONTROL POINT
 WAS OBTAINED FROM A
 SURVEY CONDUCTED BY
 DANIEL L. DUNK, REGISTERED
 SURVEYOR, IN 2017.
 SOUTH-MEAST CORNER OF SEC. 20W. 17E.



REFERENCES
 PLAT OF EAGLE NEST SUBDIVISION NO. 2
 BOOK 8, PAGE 41
 PLAT OF EAGLE NEST SUBDIVISION NO. J
 BOOK 11, PAGE 68

NOTES/NARRATIVE
 THIS SURVEY WAS COMPLETED TO LOCATE A PORTION OF SAN IGNACIO WAY. ALL DIMENSIONS PROVIDED WERE ACQUIRED AND FIELD.

LEGEND
 SUBDIVISION BOUNDARY (EAGLE NEST SUBDIVISION NO. 2)
 EXISTING LOT LINE
 EASEMENT LINE
 20' WIDE UTILITY EASEMENT WITH PLASTIC CUP
 20' WIDE UTILITY EASEMENT (LOSS)

CERTIFICATE OF SURVEYOR
 I, DANIEL L. DUNK, DO HEREBY CERTIFY THAT I AM A REGISTERED SURVEYOR IN THE STATE OF IDAHO AND THAT THE SURVEY WAS MADE BY ME OR UNDER MY SUPERVISION, AND THAT THE SAME HAS BEEN MEASURED FROM AN ORIGINAL SURVEY MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION, AND THAT THE SAME IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE STATUTE IN CONFORMANCE WITH THE CURRENT LAWS OF THE STATE OF IDAHO PERTAINING TO PLATS AND SURVEYS.



SHEET 1 OF 1
 25 EDGEMOOR TRAIL
 COCCOE, ID 83411
 PHONE: (208) 318-8899
 WWW.DUNN-LANDSURVEYS.COM





08/31/2021



08/31/2021



Valley County Transmittal
Division of Community and Environmental Health

Return to:

- Cascade
- Donnelly
- McCall
- McCall Impact
- Valley County

Rezone # VAC 21-06

Conditional Use # _____

Preliminary / Final / Short Plat _____

Sec 20

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

Reviewed By: 

Date: 8/12/21