

Valley County Planning and Zoning

PO Box 1350 • 700 South Main Street
Cascade, ID 83611-1350



Phone: 208-382-7115
Email: cherrick@valleycountyid.gov

STAFF REPORT: VAR 26-007 Kowalczyk Lot Coverage Variance
MEETING DATE: July 9, 2026
TO: Planning and Zoning Commission
STAFF: Cynda Herrick, AICP, CFM
Planning and Zoning Director
APPLICANT: Schroeder Enterprises INC, Margie Schroeder
2684 N Pescara LN, Eagle ID 83616
PROPERTY OWNER: Joseph and Rachel Kowalczyk, 8990 S Fuego Ave, Kuna ID 83634
LOCATION: 16 Golden Eagle Court
Crane Shores Subdivision Lot 31 in the NW ¼ Section 17, T.16N R.3E,
Boise Meridian, Valley County, Idaho
SIZE: 0.44-Acre Lot
REQUEST: Variance From 35% Maximum Lot Coverage
EXISTING LAND USE: Single-Family Residential Lot

Margie Schroeder is requesting a variance to increase the maximum lot coverage from 35% to 50.9%. This would allow the applicant to accommodate a 5,393-sqft home, 705-sqft in concrete patios, and a 3,594-sqft concrete or asphalt driveway. The lot is 0.44-acres.

The applicant states the variance is requested due to a long narrow access driveway on a flag lot. The homeowner association requires an asphalt or concrete driveway.

Valley County 9-4-8 Table 4-A and Title 9 Definitions limit development to a maximum 35% lot coverage of structures and impervious surfaces such as driveways and patios. The definition of lot coverage changed January, 2026, after the creation of the lots in Crane Shores Subdivision.

FINDINGS:

1. The application was submitted on June 29, 2026.
2. Legal notice was posted in the *Star News* on July 23, 2026, and July 30, 2026. The applicant was notified by letter on July 13, 2026. Potentially affected agencies were notified on July 14, 2026. Property owners within 300 feet of the property line were notified by fact sheet sent by mail on July 14, 2026. The notice was posted online at www.co.valley.id.us on July 14, 2026. The site was posted on July 30, 2026.
3. Agency comment received:

Annette Derrick stated a building permit will be required. (July 16, 2026)

Jerry Holenbeck, Donnelly Fire Marshal, listed requirements for driveways and the location of LP-Gas Containers. (July 30, 2026)

Paul Ashton, Parametrix and Valley County Engineer, stated the Applicant shall provide landscaping, grading, and drainage measures for review. Additional stormwater resulting from site improvements will need to be retained on site. Submitted measures shall include appropriate temporary and permanent BMPs and erosion control measures to protect adjacent properties. (August 5, 2026)

Emily Hart, McCall Airport Manager, had no comments. (July 20, 2026)

Brent Copes, Central District Health, has no objection to proposal. (July 31, 2026)

Idaho Department of Environmental Quality (DEQ) provided general comments on air quality, wastewater, drinking water, surface water, solid waste, hazardous waste, water quality, ground water contamination, and best management practices. (July 20, 2026)

Kendra Conder, Idaho Transportation Department, had no comments. (August 4, 2026)

4. Public comment received:

Rod Bradley, 10 Golden Eagle CT, states the variance should be approved due to the long flag lot. (July 27, 2026)

James Lambert & Debbie Heist Lambert, owner of Lot 32, Block 2, immediately east of the Kowalczyk lot, are opposed. The increase from 35% to 50.9% is huge. The size of roof area, patio, and driveway surfaces will increase runoff and flooding issues to the area. Spring runoff already fills the drainage ditch. The size may cause a crowded feel to all immediate neighbors. (August 5, 2026)

5. Valley County Code:

9-5H-10: VARIANCES:

A. Conditions: Pursuant to Idaho Code section 67-6516, the commission shall be empowered to grant variances relaxing or modifying the requirements of this title with respect to lot size, setbacks, parking space, height of buildings, or other provisions of this title affecting the size or shape of a structure upon lots, and other land use requirements of this title. In the case of a PUD involving variations from the requirements of this title, it shall not be necessary for the applicant to file a separate application for such variances. Variances may also be heard simultaneously with conditional use permit applications.

B. Application:

1. A variance may be granted to an applicant only upon a showing of undue hardship as a result of characteristics of the site.
2. A written application for a variance shall be submitted to the administrator or staff containing:
 - a. Description of the nature of the variance requested.
 - b. A narrative statement and graphic material demonstrating:
 - (1) That special conditions and circumstances exist which are not a result from any action of the applicant, which are peculiar to the land use or structure involved, and which are not applicable to other similar or adjacent lands, uses, or structures.
 - (2) That granting the variance requested will not result in any special privilege otherwise denied to other similar or adjacent lands, uses, and structures.
 - c. A site plan showing the location of the variance and the special characteristics of the site.

- d. A list of adjoining property owners within three hundred feet (300') of the site.
 - e. The fee set by resolution of the board shall accompany the application for a variance.
- C. Procedure: An application for a variance shall be reviewed by the administrator or staff and the commission in accordance with section 9-5H-11 of this article. The administrator shall post notice of the public hearing to the applicant, adjoining property owners, on site, and the public in accordance with subsection 9-5H-6B of this article.
- D. Granting Of Variance:
1. A variance may be granted if the commission makes specific findings of fact based directly on the particular evidence in the application which supports the conclusion that the above conditions have been met by the applicant.
 2. Within ten (10) days after a decision has been rendered, the administrator or staff shall provide the applicant with written notice of the action by regular mail if so requested by the applicant.
 3. The commission's decision shall be a recommendation to the board.
 4. The clerk, upon receipt of a recommendation from the commission, shall set the item on the agenda of the board at the earliest possible regular meeting of the board.
 5. The board shall consider and act upon the commission's recommendations by following the procedures outlined in section 9-5H-11 of this article. However, if the commission's recommendation is unanimous and there is no opposition to approval of the variance, then the board need not hold a public hearing, but may make a decision as a regular agenda item. Only the applicant must be notified as to the time on the agenda of the public meeting.
 6. A permit for the variance may be issued by the administrator or staff only after approval by the board.
 7. The variance approval is valid for five (5) years, unless a more specific date is specified.

9-1-10 DEFINITIONS

LOT COVERAGE: That portion of a lot that is occupied by the principal building and its accessory buildings, including overhangs, along with any structures requiring a building permit, and other impervious surfaces, such as driveways, patios, and accessory structures.

9-4 PERMITTED USES

TABLE 4-A STANDARDS FOR PERMITTED USES

Use Description	Building Setbacks (feet)				Maximum % Lot Coverage	Minimum Street Frontage	Maximum Building Height
	Front	Side	Side Street	Rear			
Residential Uses	20	7.5	20	20	35	30	35

9-4-3-2: SETBACKS:

- A. Buildings Exceeding Three Feet In Height: The setbacks for all buildings exceeding three feet (3') in height shall be in accordance with section 9-4-8, table 4-A of this chapter.
- B. Setback From Highway 55: All buildings shall be set back one hundred feet (100') from the right of way line of Highway 55 unless a more restrictive setback is required within other sections of this title.
- C. High Water Lines And Ditches: All residential buildings shall be set back at least fifty feet (50') from high water lines and ditches. All other buildings shall be set back at least one hundred feet (100') from high water lines and ditches.
 1. The setback shall be from the base flood elevation if there is a determined flood elevation or a high-water line where vegetation is denuded.

2. In order to provide for ecological function and ensure water quality benefits are preserved, a minimum twenty-five (25') area adjacent to the waterbody must be maintained to reduce erosion and enhance habitat protection. This area may consist of a vegetative buffer, bank stabilization measures, or a combination thereof.
 3. Vegetation shall be native.
 4. No vegetation can be planted that requires fertilizers. Fertilizer shall not be used in the setback area.
 5. A five feet (5') permeable pathway will be allowed to access through the vegetative buffer. The pathway cannot cause water to flow directly into the waterbody without proper filtration.
 6. See requirements in VCC 9-6-6 Riparian Area Overlay.
 - D. Front Yard: Front yard shall be determined by the structure establishing the principal use on the property and the access street or road.
 - E. Encroachment By Other Structures: No other structures may encroach on the yards determined for the structure establishing the principal use.
 - F. Measurement: Setbacks shall be measured horizontally, perpendicular to the property line, to the nearest corner or projections or overhang.
 - G. Adjustment Of Front Or Rear Yard Setbacks: The minimum front or rear yard setbacks may be adjusted to allow a proposed principal use building to conform with the average setback of existing similar buildings on adjoining properties within the same block; however, no setback may be less than seven and one-half feet (7.5').
 - H. Lots Having Common Boundary Line With United States Bureau of Reclamation (USBR) Property Surrounding Lake Cascade: Minimum rear yard setbacks for those lots having a common boundary line with USBR property surrounding Lake Cascade are seven and one-half feet (7.5'), but may not be less than that provided for in subsection C of this section.
-

STAFF COMMENTS / QUESTIONS:

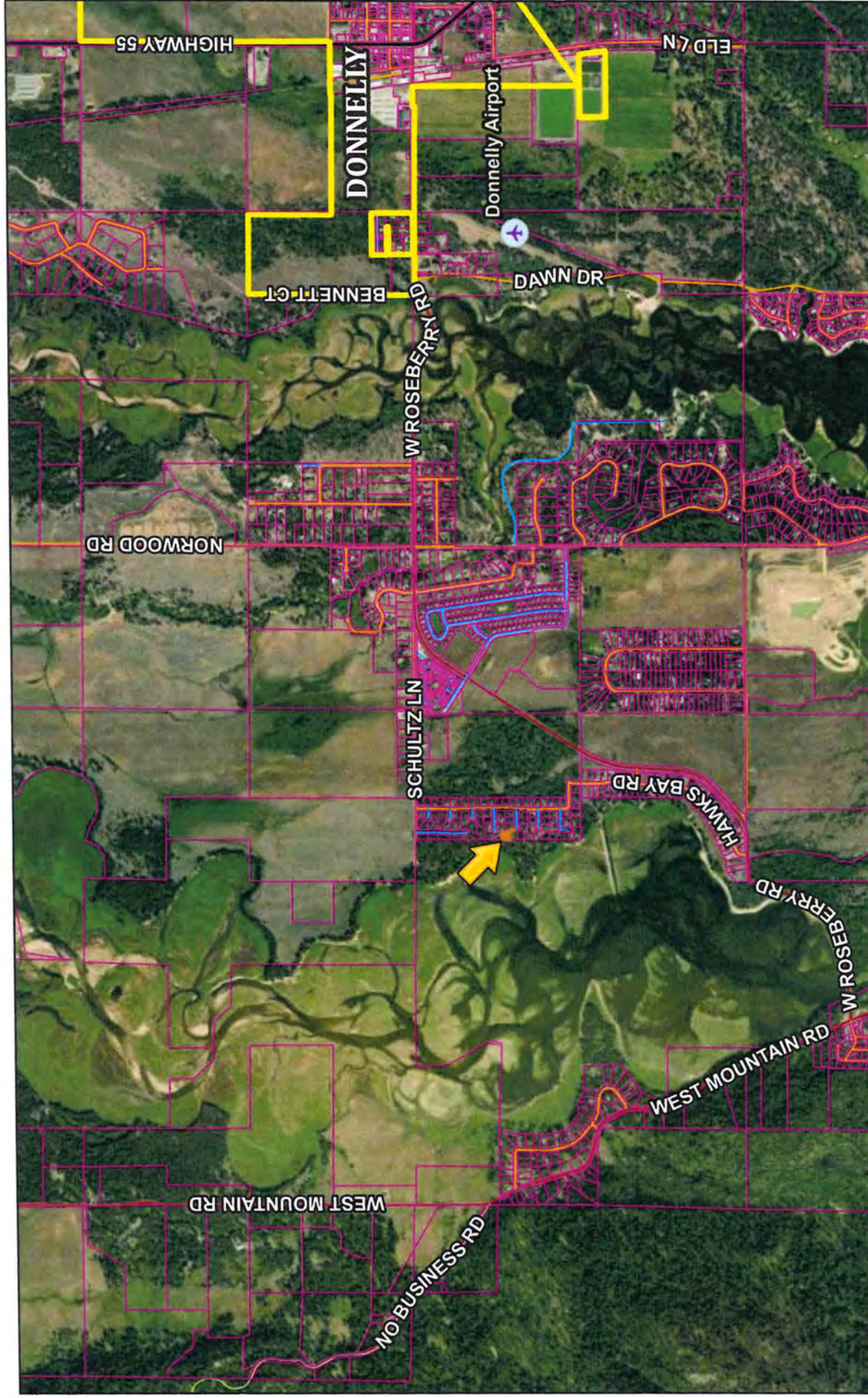
1. This site is within the Donnelly Fire District, North Lake Recreational Sewer and Water District, Water District 65, and a herd district. It is not within an irrigation district.
2. The Planning and Zoning Commission needs to determine if the 1) future development of the neighborhood would be inhibited by the variance and 2) identify the topographic reason for the variance.
3. The Planning and Zoning Commission decision would be a recommendation to the Board of County Commissioners.
4. A storm water management plan with landscaping, grading, and drainage would be required.

ATTACHMENTS:

- Location Map
- Aerial Map
- Google Maps – Aerial View
- Photos Taken July 30, 2026
- Assessor Plat – T.16N R.3E Section 17
- Crane Shores Subdivision - Assessors Annotated Plat – Sheets 1 and 4
- Site Plan
- Responses

END OF STAFF REPORT

VAR 26-007 Location Map

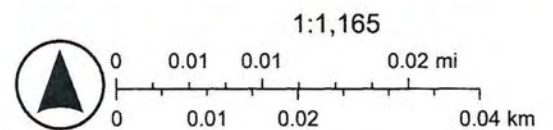


VAR 26-007 Aerial Map



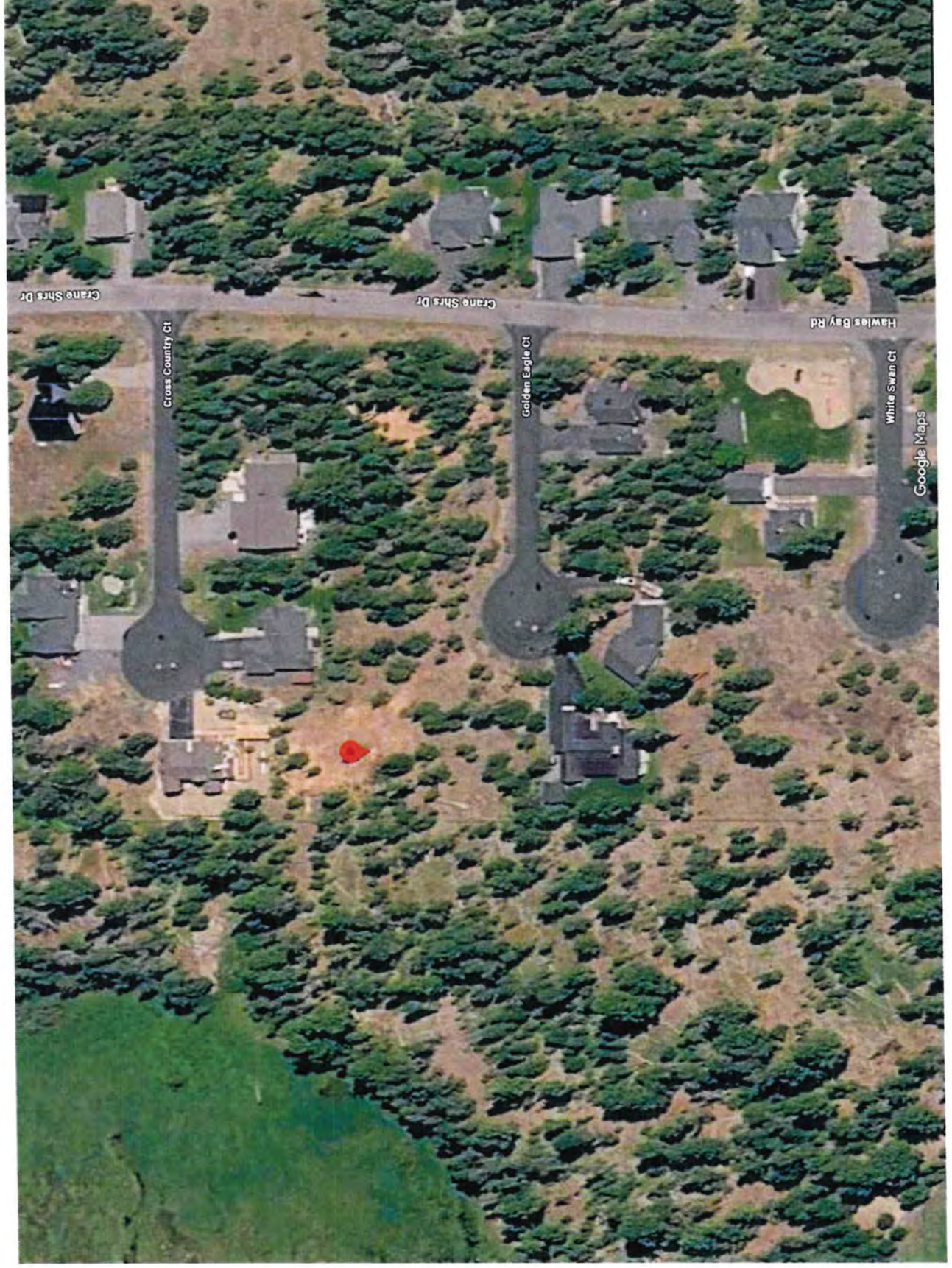
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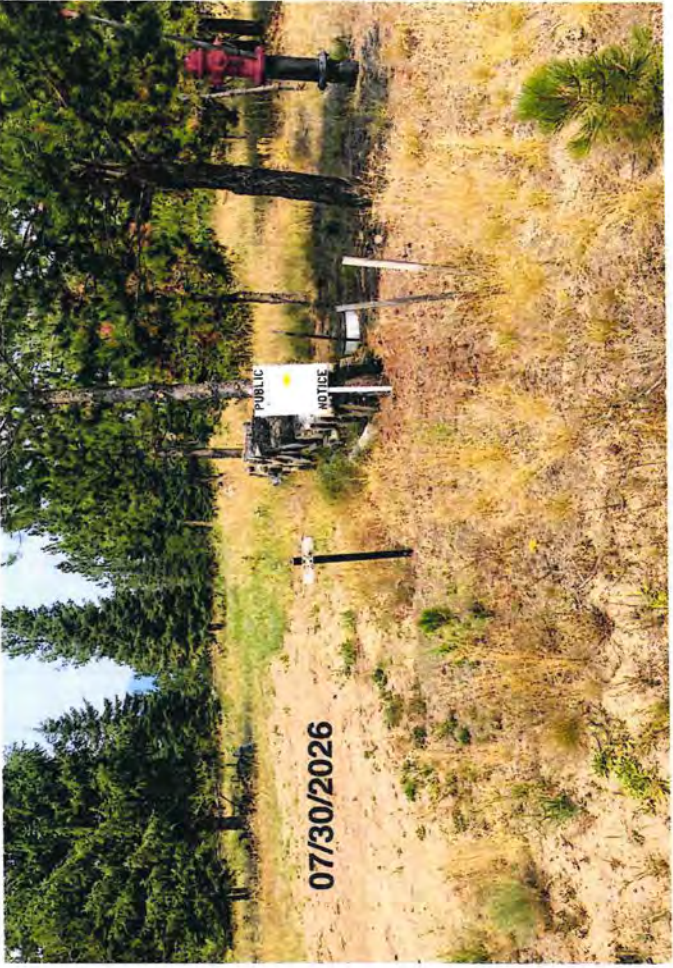
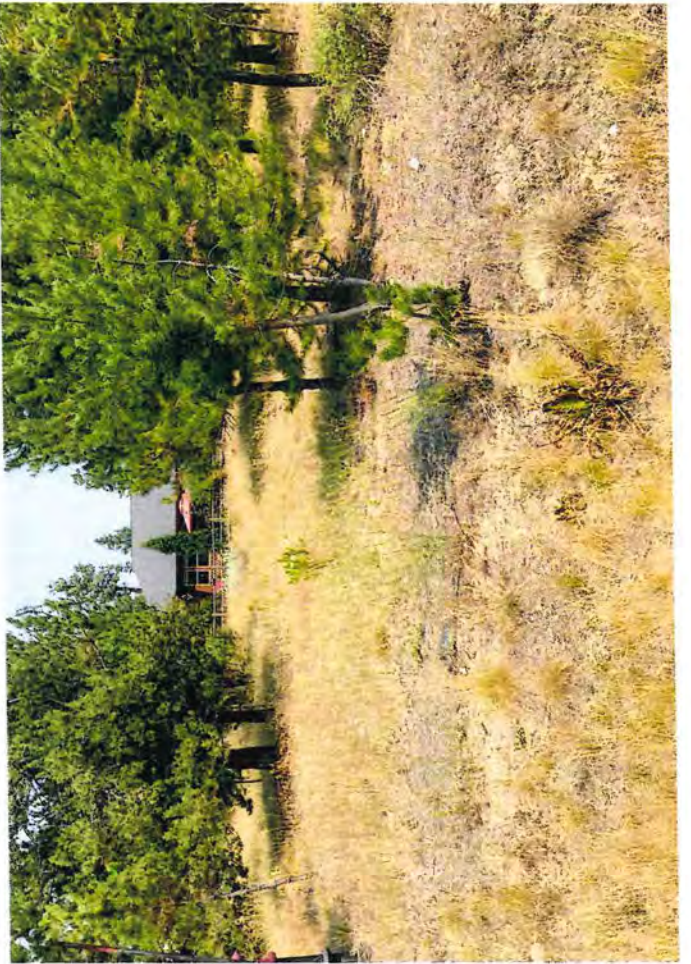
- | | |
|--|---|
|  Airstrips |  MINOR COLLECTOR |
|  Address Points |  COLLECTOR |
|  Municipal Boundaries |  URBAN/RURAL |
|  Parcel Boundaries |  USFS |
| Roads |  PRIVATE |
|  MAJOR |  OTHER |
| |  Other |



Valley County, Valley County GIS
support@co.valley.id.us
208-382-7106, Microsoft, Vantor

Google Maps – Aerial View





FLAT SHOWING

CRANE SHORES SUBDIVISION

A PORTION OF THE NORTHWEST 1/4 OF
SECTION 17, TOWNSHIP 16 NORTH, RANGE 3 EAST,
BOISE MERIDIAN, VALLEY COUNTY, IDAHO

2005

FOX LAND SURVEYS, INC.

SCALE: 1"=50'



CURVE	RADIUS	DELTA	LENGTH	TANGENT	CHORD BEARING	CHORD DISTANCE
C90	6165.00	0.5803°	104.10	52.06	N02°54'56"E	104.10
C91	6095.00	0.5828°	100.11	50.08	S03°01'20"W	100.11
C92	6095.00	0.5851°	98.04	49.03	S02°05'27"W	98.04
C93	6095.00	0.5851°	98.02	49.01	S01°10'09"W	98.01
C94	6095.00	0.5828°	57.00	28.50	S00°26'28"W	57.00
C95	3030.00	0.7463°	41.00	20.50	S00°12'54"E	41.00
C96	3030.00	1°51'15"	98.05	49.03	S01°31'47"E	98.04
C97	6130.00	3°19'12"	355.20	177.65	S01°49'58"W	355.15
C98	6085.00	3°16'23"	175.10	87.57	S01°27'50"E	175.07
C99	6085.00	1°08'17"	121.06	60.53	N02°23'13"E	121.06
C100	20.00	87°12'48"	30.44	19.05	N46°33'58"E	27.99
C101	60.00	78°01'59"	79.62	46.91	N73°31'45"W	73.91
C102	60.00	28°57'18"	30.32	15.49	S93°58'36"W	30.00
C103	60.00	52°49'12"	55.31	29.80	S13°05'21"W	53.37
C104	60.00	40°27'29"	42.37	22.11	S33°32'59"E	41.49
C105	60.00	82°54'08"	66.82	52.99	N84°46'12"E	79.44
C106	60.00	72°27'30"	7.81	3.91	N39°35'18"E	7.81
C107	20.00	92°44'01"	32.37	20.98	N43°22'37"W	28.95
C108	6165.00	1°05'28"	119.13	59.57	S07°21'07"W	119.13
C109	6165.00	1°07'01"	120.18	60.10	S01°14'27"W	120.18
C110	20.00	88°29'28"	31.24	19.82	N45°23'59"E	29.16
C111	60.00	30°58'08"	32.43	16.62	N60°59'50"W	32.04
C112	60.00	70°23'31"	73.71	42.32	S78°19'21"W	69.17
C113	60.00	30°00'00"	31.42	16.08	S28°07'35"W	31.06
C114	60.00	36°13'37"	37.94	19.63	S04°59'14"E	37.31
C115	60.00	19°11'17"	20.09	10.14	S32°41'41"E	20.00
C116	60.00	67°18'23"	70.48	39.94	S75°56'31"E	66.50
C117	60.00	34°32'49"	36.18	18.66	N63°07'53"E	35.63
C118	20.00	88°59'24"	31.06	19.65	N45°19'56"W	28.03
C119	3100.00	2°13'34"	120.44	60.23	S01°57'02"E	120.44

LEGEND

PROPERTY BOUNDARY LINE
LOT LINE
CENTER LINE
RIGHT-OF-WAY LINE
EASEMENT LINE

- SET 1/2" REBAR WITH PLASTIC CAP STAMPED "FLS PLS 7612"
- SET 5/8" REBAR WITH PLASTIC CAP STAMPED "FLS PLS 7612"
- FOUND 5/8" REBAR, CAP TYPE NOTED (SET TYPE PLASTIC "NO CAP")
- CAP STAMPED "FLS PLS 7612" ON ALL MARKED AS "NO CAP"



PREPARED BY

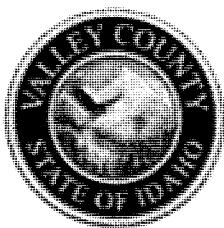
FOX LAND SURVEYS, INC.

4686 OVERLAND ROAD SUITE 162 BOISE ID 83705
208-342-7957 - FAX 208-342-7437

From: Annette Derrick <aderrick@valleycountyid.gov>
Sent: Thursday, July 16, 2026 9:41 AM
To: Cynda Herrick <cherrick@valleycountyid.gov>
Subject: 26-007

CD VAR
CUP 26-007 will need a building permit

Thanks ,



Annette Derrick
Valley County Building Official
Building Department
Office: (208) 382-7114
700 South Main St | PO Box 1350
Cascade, ID 83611

SERVICE
TRANSPARENCY
ACCOUNTABILITY
RESPONSIVE



Donnelly Fire Department
Fire Marshals Office
P.O. Box 1178 Donnelly, Idaho 83615
Office: 208-325-8619

July 30, 2026

Valley County Planning & Zoning Commission
P.O. Box 1350
Cascade, Idaho 83611

RE: VAR 26-007 Kowalczyk Lot Coverage Variance

After review, the Donnelly Rural Fire Protection District has the following comments:

Access

- **Section 503.7 IFC 2018** Driveways shall be provided when any portion of an exterior wall of the first story of a building is located more than 150 feet from a fire apparatus access road. Driveways shall provide a minimum unobstructed width of 12 feet and a minimum unobstructed height of 13 feet 6 inches. Driveways in excess of 150 feet in length shall be provided with turnarounds. Driveways in excess of 200 feet in length and 20 feet in width may require turnouts in addition to turnarounds.
- **Section 503.7.8 IFC 2018** Driveways shall be designed and maintained to support the imposed loads of local responding fire apparatus and shall be surfaced as to provide all weather driving capabilities
- All roads shall be inspected and approved by the DRFPD prior to building permits being issued.

Location of LP-Gas Containers

- **NFPA 6.4.1 & Table 6.4.1.1** All parts of LP-gas container shall be not less than 10 feet from a building or lot line of adjoining property than can be built upon.

Sincerely,
Jerry

Jerry Holenbeck
Deputy Chief - Fire Marshal
Donnelly Fire Department
firemarshal@donnellyfire.net
Cell: 208-325-5081

Parametrix No. 314-4875-001

Cynda Herrick, AICP, CFM
Valley County Planning and Zoning
700 South Main Street
PO Box 1350
Cascade, ID 83611

Re: August 13, 2026, Planning and Zoning Commission Agenda Items

Dear Cynda:

I have reviewed the items you requested us to review as listed on the August 13, 2026, Valley County (VC) Planning and Zoning Commission agenda and have the following comments for your consideration:

Old Business:

1. VAR 26-005 Poulsen Setback Variance

Valley County Road & Bridge Department will assess impacts to county public road ROW as applicable.

New Business:

1. CUP 26-014 Ore and Husk Office & Warehouse

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

All proposed driveway connections to public roads within the development shall comply with the Valley County Minimum Standards for Private/Public Road Design and Construction and applicable ITD setback requirements. Driveways shall be offset a minimum distance of fifty feet (50') from intersections with collector or external streets.

Valley County requires a 100-foot setback from ITD ROW (SH-55) for any permanent structures (as shown on the sketch provided in the application).

The Applicant did not provide Anticipated Trip Generation estimates but based on the described business operation provided in the application and the ITD District 3 Traffic Impact Study minimum requirements, a traffic impact study is not required for this development (<100 peak hour trips, <1000 vehicles per day, <35000 SF retail, and no known safety concerns).

Valley County Road & Bridge Department will assess county public road ROW requirements as applicable.

2. CUP 26-015 Resolution Minerals RV Site

Site grading and drainage plans will not be required.



The Applicant did not provide Anticipated Trip Generation estimates but based on the described use provided in the application and the ITD District 3 Traffic Impact Study minimum requirements, a traffic impact study is not required for this development (<100 peak hour trips, <1000 vehicles per day, <35000 SF retail, and no known safety concerns).

Proposed water and wastewater site improvements shall be reviewed and approved by the applicable agencies.

3. Cup 26-016 Lafon Solar Panels

Not reviewed per P&Z request.

4. VAR 26-007 Kowalczyk Lot Coverage Variance:

The Applicant will provide the Valley County engineer with landscaping, grading, and drainage measures for review. Additional stormwater resulting from site improvements will need to be retained on site. Submitted measures shall include appropriate temporary and permanent best management practices (BMPs) and erosion control measures to protect adjacent properties.

5. CUP 26-017 West Mountain Aggregates Rock Pit

Based on the Applicant's projection of 20 haul trips per day and ITD District 3 Traffic Impact Study minimum requirements, a traffic impact study may not be required for this development (<100 peak hour trips, <1000 vehicles per day, <35000 SF retail, and no known safety concerns).

Any offsite improvements to public roads will require the Applicant to work with the Valley County Road & Bridge Department.

6. CUP 26-018 Nokes Elo RD Solar Panels

Not reviewed per P&Z request.

7. CUP 26-019 Wipf Solar Panels

Not reviewed per P&Z request.

8. CUP 26-020 Nokes Ilka LN Solar Panels

Not reviewed per P&Z request.

9. CUP 26-021 Gold Fork River Ranch Pond Borrow and Reclamation

Driveways over one hundred fifty (150) feet long shall be provided with turnarounds.

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

Valley County Road & Bridge Department will assess county public road ROW requirements as applicable.

The Applicant shall provide Anticipated Trip-Generation estimates and coordinate with the Valley County Road & Bridge Department to develop a proportionate-share agreement for impacts associated with additional haul traffic. A traffic impact study may be required if warranted by the projected trip generation.



Please contact me if you have any questions.

Sincerely,

Parametrix

A handwritten signature in black ink, appearing to read "Paul S. Ashton". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Paul Ashton, PE



From: Emily Hart <ehart@mccall.id.us>

Sent: Monday, July 20, 2026 12:44 PM

To: Lori Hunter <lhunter@valleycountyid.gov>; Cynda Herrick <cherrick@valleycountyid.gov>

Subject: Re: VC PZ - Public Hearing Notice for August 13, 2026

Lori and Cynda,

C.U.P. 26-014 Ore and Husk Office and Warehouse - 1.25 miles from end of Runway 34. In Horizontal Surface. Select Commercial Building, enter lat/long, building height and site elevation into <https://oeaaa.faa.gov/oeaaa/oe3a/main/#/noticePrescreen> and file FAA Form 7460-1 if required.

C.U.P. 26-015 Resolution Minerals RV Site - NO AIRPORT COMMENT

C.U.P. 26-016 Lafon Solar Panels - NO AIRPORT COMMENT

VAR 26-007 Kowalczyk Lot Coverage Variance - NO AIRPORT COMMENT

C.U.P. 26-017 West Mountain Aggregates Rock Pit - NO AIRPORT COMMENT

C.U.P. 26-018 Nokes Elo Rd Solar Panels 2.14 miles from end of Runway 34. In Conical Surface. Select Solar Panel in <https://oeaaa.faa.gov/oeaaa/oe3a/main/#/noticePrescreen> and file FAA Form 7460-1 if required. Airport will recommend denial if FAA issues a Determination of Hazard to Air Navigation.

C.U.P. 26-019 Wipf Solar Panels 3,733' from end of Runway 34. In Transitional Surface and possibly Approach Surface. Select Solar Panel in <https://oeaaa.faa.gov/oeaaa/oe3a/main/#/noticePrescreen> and file FAA Form 7460-1 if required. Airport will recommend denial if FAA issues a Determination of Hazard to Air Navigation.

C.U.P. 26-020 Nokes Ilka Ln Solar Panels 1.12 miles from end of Runway 34. In Horizontal Surface. Select Solar Panel in <https://oeaaa.faa.gov/oeaaa/oe3a/main/#/noticePrescreen> and file FAA Form 7460-1 if required. Airport will recommend denial if FAA issues a Determination of Hazard to Air Navigation.

C.U.P. Gold Fork River Ranch Pond and Borrow Reclamation - NO AIRPORT COMMENT

Have a great week!

Emily

Emily Hart, ACE/GA, C.M.

Manager | McCall Municipal Airport

208.630.3441 (cell) | 208.634.1448 (office)

<https://www.mccall.id.us/160/McCall-Municipal-Airport>



Valley County Transmittal
Division of Community and Environmental Health

Return to:

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

Rezone # _____

Conditional Use # _____

Preliminary / Final / Short Plat _____

VAR 26-007 Kowalczyk Lot Coverage

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

Reviewed By: Brian W. Cooper

Date: 7/31/26



July 20, 2026

Cynda Herrick, Planning & Zoning Director
Valley County Planning & Zoning
700 S. Main Street, Cascade, ID 83611
cherrick@valleycountyid.gov

Subject: VC PZ - Public Hearing Notice for August 13, 2026

Dear Cynda Herrick:

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

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

1. AIR QUALITY

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), trade waste burning (58.01.01.600-617), and odor control plans (58.01.01.776).
For questions, contact David Luft, Air Quality Manager, at (208) 373-0201.
- IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.
- For questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.

26-017

- Please review IDAPA 58.01.01 for all rules on Air Quality, especially those regarding fugitive dust (58.01.01.651), and trade waste burning (58.01.01.600-617).
- For questions, contact David Luft, Air Quality Manager, at 373-0550.
- IDAPA 58.01.01.201 requires an owner or operator of a facility to obtain an air quality permit to construct prior to the commencement of construction or modification of any facility that will be a source of air pollution in quantities above established levels. DEQ asks that cities and counties require a proposed facility to contact DEQ for an applicability determination on their proposal to ensure they remain in compliance with the rules.

- Rock crushers, concrete batch plants, and hot mix asphalt plants are subject to DEQ air quality permitting requirements. Please see the following web site for additional information:
- <https://www2.deq.idaho.gov/admin/LEIA/api/document/download/5204>
- For questions, contact the DEQ Air Quality Permitting Hotline at 1-877-573-7648.
- DEQ recommends the city/county require the development and submittal of a dust prevention and control plan to the city/county for incorporation into the conditional use permit. Dust prevention and control plans incorporate appropriate best management practices to control fugitive dust that may be generated at sites.

2. WASTEWATER AND RECYLED WATER

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

3. DRINKING WATER

- DEQ recommends verifying that there is adequate water to serve this project prior to approval. Please contact the water provider for a capacity statement, declining balance report, and willingness to serve this project.
- DEQ recommends verifying if the current and/or proposed drinking water system is a regulated public drinking water system. A drinking water system is a Public Water System (PWS) if it has at least 15 service connections or regularly serves an average of 25 or more people per day for at least 60 days per year (refer to the DEQ website at: <https://www.deq.idaho.gov/water-quality/drinking-water/>). For non-regulated systems, DEQ recommends annual testing for total coliform bacteria, nitrate, and nitrite.
- IDAPA 58.01.08 is the section of Idaho rules regarding public drinking water systems. Please review these rules to determine whether this or future projects will require DEQ approval.
- All projects for construction or modification of public drinking water systems require preconstruction approval.
- If any private wells will be included in this project, we recommend that they be tested for total coliform bacteria, nitrate, and nitrite prior to use and retested annually thereafter.
- DEQ recommends using an existing drinking water system whenever possible or

- construction of a new community drinking water system. Please contact DEQ to discuss this project and to explore options to both best serve the future residents of this development and provide for protection of groundwater resources.
- DEQ recommends cities and counties develop and use a comprehensive land use management plan which addresses the present and future needs of this area for adequate, safe, and sustainable drinking water. Please schedule a meeting with DEQ for further discussion and recommendations for plan development and implementation.
- For questions, contact Valerie Greear, Water Quality Engineering Manager at (208) 373-0459.

4. SURFACE WATER

- A Construction General Permit from DEQ may be required for projects that meet the eligibility criteria and have an allowable discharge of storm water or authorized non-storm water associated with construction activities. For questions, contact Emily Montague, IPDES Compliance Supervisor, at (208) 813-0872.
- Please contact DEQ to determine whether this project will require an Idaho Pollutant Discharge Elimination System (IPDES) Permit. A Multi-Sector General Permit from DEQ may be required for facilities that have an allowable discharge of storm water or authorized non-storm water associated with the primary industrial activity and co-located industrial activity.
- For questions, contact Emily Montague, IPDES Compliance Supervisor, at (208) 373-0433.
- If this project is near a source of surface water, DEQ requests that projects incorporate construction best management practices (BMPs) to assist in the protection of Idaho's water resources. Additionally, please contact DEQ to identify BMP alternatives and to determine whether this project is in an area with Total Maximum Daily Load stormwater permit conditions.
- The Idaho Stream Channel Protection Act requires a permit for most stream channel alterations. Please contact the Idaho Department of Water Resources (IDWR), Western Regional Office, at 2735 Airport Way, Boise, or call (208) 334-2190 for more information. Information is also available on the IDWR website at: <https://idwr.idaho.gov/streams/stream-channel-alteration-permits.html>
- The Federal Clean Water Act requires a permit for filling or dredging in waters of the United States. Please contact the US Army Corps of Engineers, Boise Field Office, at 10095 Emerald Street, Boise, or call 208-345-2155 for more information regarding permits.
- For questions, contact Lance Holloway, Surface Water Manager, at (208) 373-0564.

5. SOLID WASTE, HAZARDOUS WASTE AND GROUNDWATER CONTAMINATION

- **Solid Waste.** No trash or other solid waste shall be buried, burned, or otherwise disposed of at the project site. These disposal methods are regulated by various state regulations including Idaho's Solid Waste Management Regulations and Standards (IDAPA 58.01.06), Rules and Regulations for Hazardous Waste (IDAPA 58.01.05), and Rules and Regulations for the Prevention of Air Pollution (IDAPA 58.01.01). Inert and other approved materials are also defined in the Solid Waste Management Regulations and Standards.
- **Hazardous Waste.** The types and number of requirements that must be complied with under the federal Resource Conservation and Recovery Act (RCRA) and the Idaho Rules and Standards for Hazardous Waste (IDAPA 58.01.05) are based on the quantity and type of waste generated. Every business in Idaho is required to track the volume of waste generated, determine whether each type of waste is hazardous, and ensure that all wastes are properly disposed of according to federal, state, and local requirements.

- **Water Quality Standards.** Site activities must comply with the Idaho Water Quality Standards (IDAPA 58.01.02) regarding hazardous and deleterious-materials storage, disposal, or accumulation adjacent to or in the immediate vicinity of state waters (IDAPA 58.01.02.800); and the cleanup and reporting of oil-filled electrical equipment (IDAPA 58.01.02.849); hazardous materials (IDAPA 58.01.02.850); and used-oil and petroleum releases (IDAPA 58.01.24.060 and 58.01.24.061). Petroleum releases must be reported to DEQ in accordance with IDAPA 58.01.24.060.01 and 58.01.24.061.04. Hazardous material releases to state waters, or to land such that there is likelihood that it will enter state waters, must be reported to DEQ in accordance with IDAPA 58.01.02.850.
- **Groundwater Contamination.** DEQ requests that this project comply with Idaho's Ground Water Quality Rules (IDAPA 58.01.11), which states that "No person shall cause or allow the release, spilling, leaking, emission, discharge, escape, leaching, or disposal of a contaminant into the environment in a manner that causes a ground water quality standard to be exceeded, injures a beneficial use of ground water, or is not in accordance with a permit, consent order or applicable best management practice, best available method or best practical method."
- For questions, contact Matthew Pabich, Waste & Remediation Manager, at (208) 373-0510.

6. ADDITIONAL NOTES

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

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

Sincerely,



Troy Smith
Regional Administrator

From: Kendra Conder <Kendra.Conder@itd.idaho.gov>
Sent: Tuesday, August 4, 2026 10:02 AM
To: Cynda Herrick <cherrick@valleycountyid.gov>
Subject: VC PZ - Public Hearing Notice for August 13, 2026

Hi Cynda,

I just wanted to let you know that I do not have any comments for the August 13th P&Z applications.

Let me know if there are any questions. Thank you!

Kendra Conder | Senior Planner
Idaho Transportation Department | Development Services
Office: 208-334-8377
Cell: 208-972-3190



From: Rod Bradley <rbradley@majestic-flooring.com>
Sent: Monday, July 27, 2026 12:43 PM
To: Cynda Herrick <cherrick@valleycountyid.gov>
Subject: VAR 26-007 Kowalczyk

The variance should be approved! This is a flag lot, which requires a longer driveway to access the buildable area.

No objections from 10 Golden Eagle Ct.

--

Rod Bradley
President/CEO



4501 W. Chinden Blvd.
Boise, ID 83714
208-378-9190
RCE-1007
majestic-flooring.com

From: [REDACTED]

To: cherrick@valleycountyid.gov <cherick@valleycountyid.gov>

Sent: Wednesday, August 5, 2026 at 03:52:45 PM MDT

Subject: VAR 26-007 Kowalczyk Lot Coverage Variance

Cynda,

I am James C Lambert, along with my wife Debbie Heist Lambert, we own the lot (Lot 32, Block 2, Crane Shores Subdivision) immediately east of the Kowalczyk lot requesting a Lot Coverage Variance.

We are objecting to approval of this request based on a several items we feel can impact our lot both environmentally and potential property value.

* **SIZE IMPACT:** Increase of maximum lot coverage from 35% to 50.9% is huge. They must have known the home they were gonna build might not be the best fit on their lot.

* **INCREASED FLOODING RISK:** The size of roof area, patio and driveway surfaces will only force greater run off and possible flooding issues to our lot and the Golden Eagle Court area. Spring runoff already fills the drainage ditch in that circle and I assume the present bare lot absorbs much moisture. A rain downpour like the one that hit the Treasure Valley recently would probably cause flooding unto my lot.

* **AESTHETIC and SPATIAL IMPACT:** The pure size might well cause a crowded feel for both us and immediate neighbors destroying the open character of this neighborhood and eliminate views of mountain and lake.

Please consider our objection to approving a significant variance request (35% to 50.9%) for this project that is requesting a variance to established Valley County norms for Lot Coverage.

Thank you,

Jim & Debb Lambert
[REDACTED]