

Teton County Board of county commissioners:

RE: Subdivision extension application

10/3/2024

The owner of the Dorothy Gayle subdivision is submitting a subdivision extension application. As the developer, I have pursued the application as timely as possible providing material in a timely manner for all requests and these extenuating circumstances have delayed this projects progress.

As you may be aware, this application has been challenged by a neighbor who has attempted to delay the Dorothy Gayle project. The neighbor has stated that the wildlife on this lot is too important, stated that my client does not have legal access to their property, brought out the fire marshal to the property stating that his pivot will not be moved and a road cannot be built (it is the famers pivot), tried to drag in Commissioner Heneage to weigh in on some narrative, claimed that the easement that is in place is not what the title states causing the county to “pause” this application, claimed that there are CCR’S that restrict lots being split as well as other claims. My client has respectfully responded to all of these questions from the public providing legal documentation or written statements clarifying any concerns. Through these claims, the planning commission as well as the BOCC and their attorneys have understandably continued and delayed the application to try and verify and validate these concerns.

Since the concept hearing back in 2021, the county has asked that the applicant prove legal access based on the concern from a neighbor. The applicant had been providing all documentation from the Title company and their engineer had been working with the county staff to decipher if the access was valid. This application was continued by the planning and zoning committee on November 14<sup>th</sup>, 2023 where it was noted to have legal issues resolved based on claims from the neighbor. Later the county’s attorney removed the paused/ continued status of the application stating that the county cannot adjudicate a private easement and informed the planning and zoning staff to resume the application. To date, no legal filings had been made and only public comments have been made.

This has been unfortunate and has wasted a lot of the county, state and emergency services time as well as money and resources from all. The Dorothy Gayle owner is submitting the final plat paperwork and is kindly requesting an extension for this application.

Please reach out with any questions,

Applicant,

Curt Behle

- See attached extension application