



## FINAL PLAT REVIEW PUBLIC HEARING

**FOR:** Rolling Stone Acres Subdivision  
**WHERE:** 4621 S 500 E, NE of the city of Victor  
**PREPARED FOR:** Board of County Commissioners  
Public Hearing of April 28<sup>th</sup>, 2025

**APPLICANT/OWNER:** Bruce Derize

**ENGINEER:** Civilize PLLC

**OVERVIEW:** The application is proposing a 4 lot residential subdivision on 10.21 acres of land. There is an existing home on lot 1 with its own well and septic. The lots will meet the County zoning size requirements for the 2.5 acre minimum lot size in the A/RR 2.5 zone.

**APPLICABLE COUNTY CODE:** Subdivision Final Plat Review pursuant to Title 9, Chapter 3-2-D, Teton County Subdivision Ordinance, (revised 5/16/2013); Teton County Comprehensive Plan (A Vision & Framework 2012-2030)

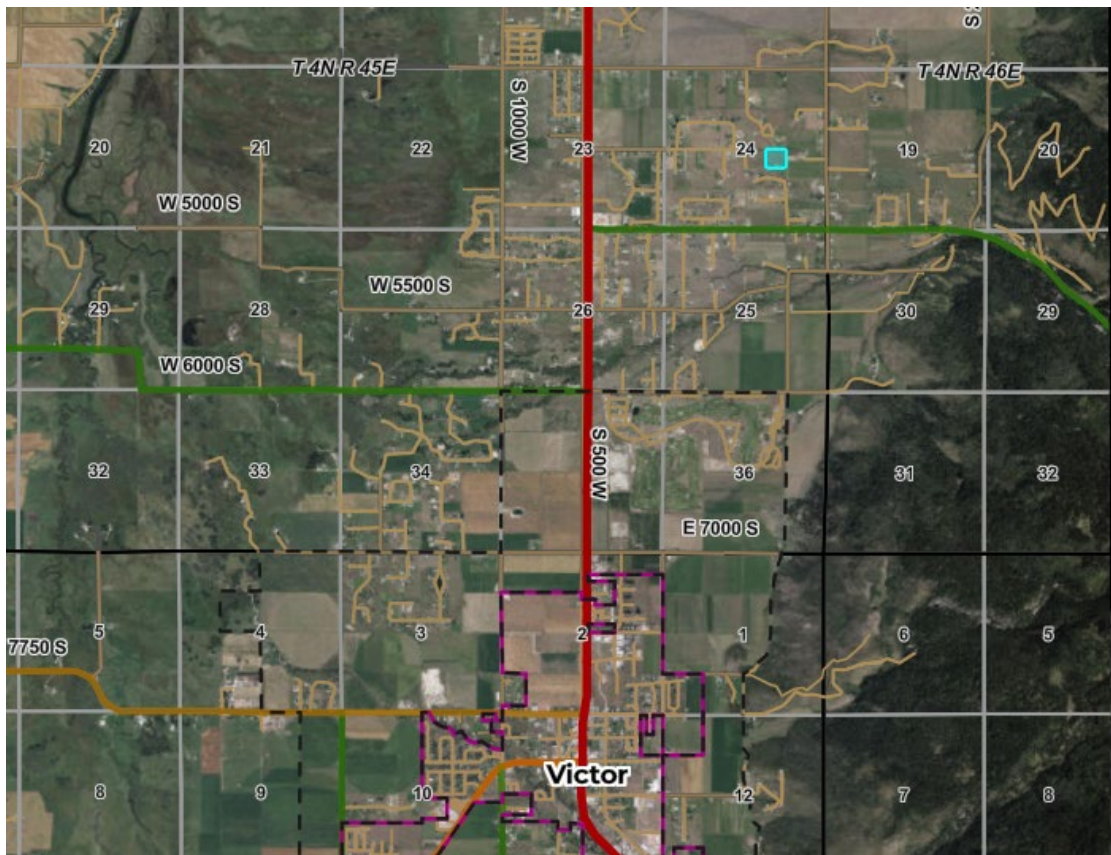
**LEGAL DESCRIPTION:** RP04N45E247802; N2NW4SE4 LESS TAX #3937 SEC 24 T4N R45E

**PARCEL NUMBER:** RP04N45E247802

**LOCATION:** 4621 S 500 E, NE of the city of Victor

**ZONING DISTRICT:** A/RR-2.5

**PROPERTY SIZE:** 10.21 Acres



*Figure 1. Vicinity map; Subject Parcel Highlighted Blue (NE of Victor)*

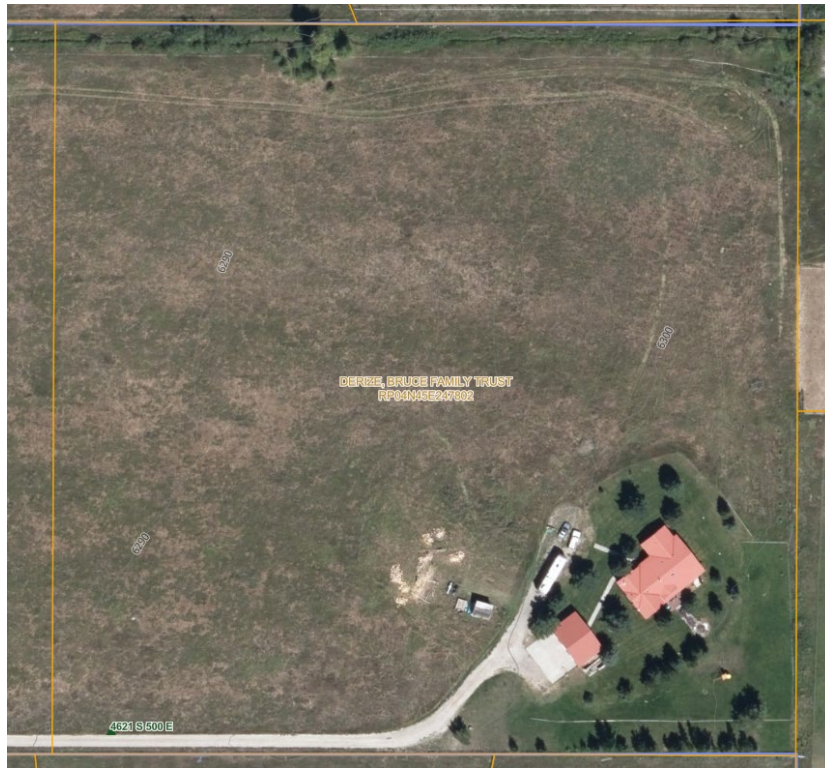


Figure 2. Aerial Image

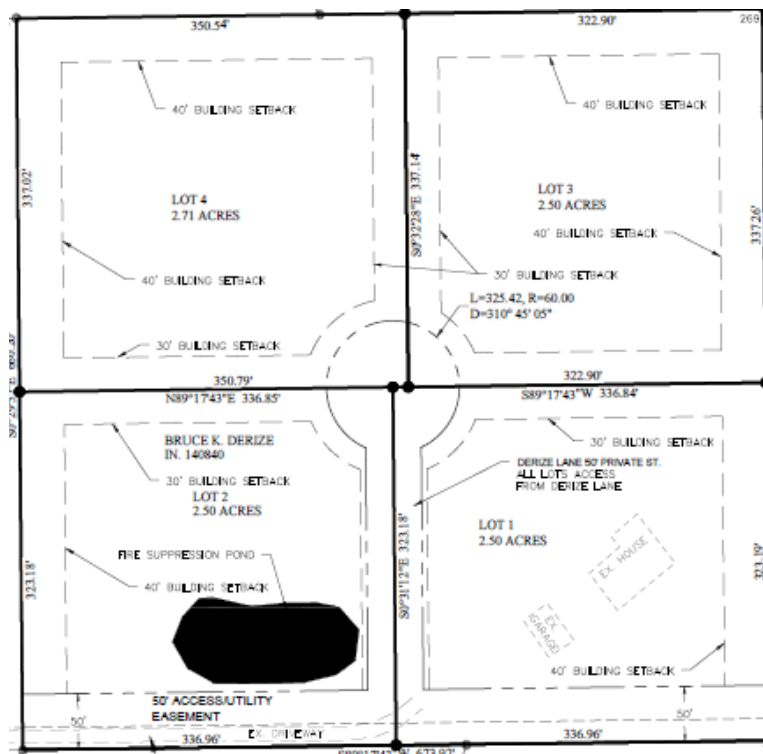


Figure 3. Final Plat Layout

## **PROJECT BACKGROUND & REVIEW HISTORY**

### **PRE-APPLICATION:**

The Pre-Application conference requirement was satisfied by a signed form on March 8, 2022.

### **CONCEPT PLAN:**

Because there are no overlays present on the property and because the number of lots proposed was under ten (10), the application met the criteria under Title 9 for an Administrative Concept Review. The Concept Plan was reviewed and approved by the Planning Administrator on July 27<sup>th</sup>, 2022 with the following motion and recommendations:

*"I **APPROVE** the Concept Plan for Rolling Stone Acres Subdivision as described in the application materials submitted June 21, 2022 with the condition to address all comments from the Public Works Director and that the applicant will work with the Eastern Idaho Public Health and Teton County Fire Marshal for necessary approvals".*

### **Conditions of Approval**

The following items need to be addressed before submitting a preliminary plat application. These are conditions of approval on the application:

1. Address all engineering comments:
  - a. Interior road will need to be constructed to County local road standards
  - b. Public Works is recommending that a condition for approval be improving the following roads to County local road standards:
    - i. Access road west to S500E
    - ii. S500E to E4500S
  - c. An Improvements Plan should be submitted, approved, and referenced in the final Development Agreement. Submit this with the preliminary plat application.
2. Identify and confirm an adequate water source and method of fire suppression with Teton County Fire Marshal.

*Staff Comment: All conditions have been addressed.*

**PLANNING AND ZONING COMMISSION PRELIMINARY HEARING:** The Preliminary Plat Application was reviewed and approved on September, 10<sup>th</sup> 2024 with the following motion:

*Having concluded that the Criteria for Approval of a Preliminary Plat found in Title 9-3-2-C can be satisfied, I move to recommend APPROVAL of the Preliminary Plat for Rolling Stone Acres Subdivision as described in the application materials submitted June 27<sup>th</sup>, 2024 and additional information attached to the staff report with the conditions of approval listed in the staff report.*

**BOARD OF COUNTY COMMISSIONERS PRELIMINARY HEARING OF:** November 12<sup>th</sup>, 2024

The BoCC reviewed the preliminary plat for Rolling Stone Acres subdivision on November 12<sup>th</sup>, 2024 at which time the Board Approved the Preliminary Plat with the following motion:

MOVER: Bob Heneage SECONDER: Cindy Riegel

Having concluded that the Criteria for Approval of a Preliminary Plat found in Title 9-3-2-C can be satisfied, I move to RECOMMEND APPROVAL of the Preliminary Plat for Rolling Stone Acres Subdivision as described in the application materials submitted June 27th, 2024 and additional information attached to the staff report. With the following conditions of approval:

1. Cost Estimate Subtotal is to be revised and show the correct amount. Applicant suggests total is \$140,000 with contingency. Staff finds that the number is \$178,663 without contingency costs. The cost estimate should also show the improvement costs for each section of roadway being improved to county local road standards.  
*An updated cost estimate was submitted on 3/18/2025 which estimates a cost of \$228,000.00.*
2. Address public works comments: a. Cul-de-sac minimum right-of-way should be 60' radius.  
*The Final Plat drawing indicates a 60' radius for the cul-de-sac.*
3. Building envelope should be provided for lot with development to confirm setbacks. All envelopes should be on the plat of record, not the improvement plans.  
*Setbacks are indicated on the Final Plat.*
4. Plat be updated: a. Add a note indicating that all lots will be accessed from DeRize Lane.  
*A plat note was found.*
5. Financial Surety of 125% of the cost estimate is required with the final plat application.  
*The applicants have prepared a performance bond for the improvements.*

#### **INTER-AGENCY COMMENTS:**

The County has solicited comments from other agencies and has received comments from the following entities.

- **ROADS & UTILITIES:** The public works director made comments on a Letter dated September 3<sup>rd</sup>, 2024:
  - Cul-de-sac minimum right-of-way should be 60' radius.
  - Rolling Stone Acres improvements will be required to extend to termination of Bertin Ranch Subdivision improvements.

*The public works director's updated comments from April 23, 2025: All of my previous concerns have been satisfactorily addressed.*

- **FIRE PROTECTION:** (LETTER DATED AUGUST 27<sup>TH</sup>, 2024)
  - The fire pond review is approved as drawn.
- **WASTEWATER TREATMENT:** Applicant has received preliminary approval from EIPH as of May 14<sup>th</sup>, 2024
- **PLANS & STUDIES:** No plans or studies were required.
- **PROPOSED LAYOUT:**

#### **SPECIFIC REQUIREMENTS FOR PUBLIC HEARING NOTICE**

Idaho Code, Title 67, Section 67-6509, 67-6511, 67-6512, and LDC, Chapter 4-2-D. The public hearing for the Board of County Commissioners was duly noticed in the Teton Valley News on April 9 and 16, 2025. A notification was sent via mail to surrounding property owners within a 300-foot buffer area, on April 4, 2025. A notice was also posted on the property providing information about the public hearing on April 18, 2025.

### **PUBLIC COMMENTS:**

The staff has not received any written public comment as of April 23, 2025.

### **OVERVIEW OF FINAL PLAT APPROVAL (9-3-2-D):**

This phase of the subdivision/PUD process is to present the Board of County Commissioners the completed documentation as required by this Ordinance for a final review before rendering a decision to approve, deny, amend or remand this application. If the Board elects to amend the application, additional findings and reasoning shall be made in writing in accordance with State code. Otherwise the findings and reasoning should be contained in the Master Plan / Development Agreement / and Final Plat. (amd. 06-05)

### **CRITERIA FOR APPROVAL**

In conjunction with the decision for approval, approval with conditions, or denial of an application for a subdivision or PUD, the Board shall make written findings with respect to the items required with the submission of the application and the criteria below. Additional written findings are not necessary where the public documents or records of the public hearing already provide a written record.

- i. Each exception to otherwise applicable restrictions shall be identified and the reasons supporting the exceptions stated.
- ii. The subdivision or PUD is consistent with the public health, safety and welfare of the County and with all applicable provisions of Title 9 and Title 8 of the Teton County code. (amd. 11-14-08)
- iii. The information required in the application has been verified and is correct.

**Findings:** No exceptions to applicable restrictions were identified. No conflict with provisions of County Ordinances have been identified. No errors have been identified in the application. The applicant has addressed all of the conditions of approval from preliminary plat with the Board of County Commissioners.

### **CONDITIONS OF APPROVAL**

1. A final technical survey review is required before recordation.

### **BOARD OF COUNTY COMMISSIONERS ACTIONS**

- A. Approve the Final Plat, with the possible conditions of approval listed in this staff report, having provided the reasons and justifications for the approval.
- B. Approve the Final Plat, with modifications to the application, or adding conditions of approval, having provided the reasons and justifications for the approval and any modifications or conditions.
- C. Deny the Final Plat application providing the reasons and justifications for the denial.
- D. Continue to a future BoCC Meeting with reasons given as to the continuation or need for additional information.

### **MOTIONS**

The following motions could provide a reasoned statement if a Commissioner wanted to approve or deny the application:



**APPROVAL**

Having concluded that the Criteria for Approval of a Final Plat found in Title 9-3-2-D can be satisfied, I move to APPROVE the Final Plat for Rolling Stone Acres Subdivision as described in the application materials submitted February 27<sup>th</sup>, 2025 and additional information attached to the staff report. With the following conditions of approval...

**DENIAL**

Having concluded that the Criteria for Approval of a Final Plat found in Title 9-3-2-D have not been satisfied, I move to DENY the Final Plat for Rolling Stone Acres Subdivision as described in the application materials submitted February 27<sup>th</sup>, 2025 and additional information attached to the staff report, based on the following findings... The following could be done to obtain approval...

**CONTINUATION**

I move to continue the public hearing for Rolling Stone Acres Subdivision Final Plat in order to obtain additional information from the applicant or other agencies *to the following date and time...*

Prepared by:

Joshua Chase, Planning Administrator

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**ATTACHMENTS:**

- |   |                                       |
|---|---------------------------------------|
| A. Application (6 pages)                    | I. Final Master Plan                  |
| B. Final Plat (1 page)                      | J. EIPH Approval Letter (12 pages)    |
| C. Narrative (7 Pages)                      | K. Fire Marshal review (1 page)       |
| D. Development Agreement (20 Pages)         | L. Response to Conditions of Approval |
| E. Cost Estimate (1 page)                   | M. Supplement Final Plat (10 Pages)   |
| F. Improvement Plans (13 Pages)             | N. Engineer Review (1 Page)           |
| G. CCRs                                     |                                       |
| H. Draft Letter of Credit or Bond (3 Pages) |                                       |

**End of Staff Report**