

April 28, 2025



Mr. Joshua Chase
Teton County Planning Administrator
Teton County, Idaho
150 Courthouse Drive, Suite 107
Driggs, ID 83422

RE: Daniel Highlands subdivision BoCC Preliminary Plat Conditions of Approval

Dear Mr. Chase,

Please see below the applicant's response in red to the Board of County Commissioners CONDITIONS OF APPROVAL from the March 10, 2025 hearing:

1. Regular Septic maintenance should be included in the CCRs. **The Operations and Maintenance Manual submitted with the preliminary plat application materials is now referenced in the CCRs.**
2. The building envelope on Lot 9 has been shifted but needs a measurement showing that it is located 50 feet from the potential wetlands. **The Master Plan document included in the improvement plans set submitted with the Final Plat application materials includes a 50' dimension between the potential wetlands and the building envelope on Lot 9.**
3. Lots 5 and 6 are within the Hillside Overlay. It appears steep slopes are avoided by the building envelopes, but a grading and erosion control and contours map should be submitted for access and development of those lots at the time of building permit application. **This condition is applicable at the time of building permit application. No action is necessary for the Final Plat application submittal.**
4. A plat note be added indicating that EIPH may require individual site evaluations for septic permits. **Building permits for each of the lots will require an EIPH septic permit and evaluation. Harmony Design's licensed surveyor has stated that such a note on the plat is not customary and is redundant to the building permit process.**
5. The access and maintenance agreement for the road be executed and recorded by the timing of final plat application. **An updated draft access and maintenance agreement approved by both Tom and Lexie Hill and Highland Ranch LLC is included with the Final Plat application submittal materials. Having the agreement executed and recorded prior to Final Plat hearing and approval is premature in the case that something comes up in the hearing related to**

this. Documentation of the collaboration between Tom and Lexie Hill and Highland Ranch LLC. in the form of email messages is submitted with the application documents.

6. The improvement plans and cost estimate shall be updated to include the landscaping and subdivision sign. Landscape re-seeding of disturbed areas and subdivision signage have been added to the improvement plans and the stamped Engineer's Opinion of Probable Cost.

7. Obtain and submit an approval letter from Mahogany Canal Company with the Final Plat application if it has been determined that such company exists prior to final plat. The applicant and engineering consultant have found no evidence of the existence of the Mahogany Canal Company or other administering organizations for the irrigation water rights associated with the property.

8. Add an easement for buried irrigation line. This has been added to the draft plat map submitted with this application.

9. Development Agreement needs to have the exhibits attached before Final Plat hearing. The exhibits are attached to the Development Agreement document.

10. Financial surety of 125% of the stamped and dated cost estimate is required. The owner is actively working on obtaining the 125% Financial Surety. The dated and stamped cost estimate has been submitted with the Final Plat application documents.

11. A plat note be added to require no further subdividing of lots. This condition was recommended during the Preliminary Plat BoCC hearing on March 10, 2025 by an associate planning staff member to address concerns of the BoCC about seemingly conflicting statements within the CCRs regarding a clause in Section 4.3 No Further Subdivision that states No Building Lot may be further subdivided and a clause in Section 4.13 Exemption of Grantor (now Section 4.14 Exemption of Grantor) stating that the owner reserves the right to further subdivision so long as no lots have been sold within the proposed subdivision. The applicant's attorney has updated the CCRs by deleting the language in 4.13 (now 4.14 Exemption of Grantor), that reserved the right of the owner to future subdivision. This should address the BoCC's concern about conflicting language. A plat note requiring no further subdividing of lots is uncustomary and not advised by the applicant's engineering, surveying, and legal team.

12. Existing buildings will be allowed to continue to stand until the point in time when the lots are developed. This note concerns demolition that shall occur at the time of building permit application. No action is necessary for the Final Plat application submittal.