



TETON COUNTY, IDAHO | Planning Department

Subdivision Development Agreement Extension Request

Request:

Applicant, Patrick Trucco, has requested an extension to allow for recording the Development Agreement and associated documents for Irish Acres subdivision. Teton County Title 9 has a recording window of 4 months after Final Plat approval to record these documents.

Applicable Ordinance:

Under Teton County Code § 9-3-2 (D-2-m.iii) one extension of up to twelve (12) months may be granted by the Board of County Commissioners to record documents prior to installing improvements pursuant to 9-3-2 (D-2-J).

iii. Development Agreement Extension Request: The developer may request in writing prior to the expiration date an extension of time for commencement of improvements and/or for completion of improvements for up to twelve (12) months from the Board of County Commissioners. The request must include specific reasons why an extension is needed, addressing the extension criteria in the Development Agreement Extension Application and the extension fee. This fee is non-refundable. Only one (1) further request up to six (6) months shall be deemed accepted or granted. An extension request shall be adjudicated under the ordinance in effect at the time of the request for extension. (amd. 9-17-09)

Summary of application:

The Irish Acres Subdivision is a 10-lot subdivision on 40.14 acres on RP05N45E103300 (near W 4000 N and N 2000 W).

Project Timeline:

The BoCC reviewed and approved the final plat materials on November 25, 2024. The Subdivision also received a 2-month extension for completion of Final Plat, previously on the same date.

The applicants submitted a Development Agreement extension request on July 1, 2025. Final Plat materials were submitted on October 7, 2024, after the required Nationwide Permit was submitted from the ACOE.





Motion: 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 Irish Acres Subdivision as described in the application materials submitted 9 October 7, 2024 and additional materials attached to the staff report, with the following conditions of approval: 1. Final technical survey review be completed and approved before mylars are printed. 2. Property taxes be paid by the time of plat recordation. 3. The plat will be updated with a plat note to indicate that ADUs are not permitted in the subdivision in accord with the CC&Rs and the Traffic Impact Study.

AYES (3): Bob Heneage, Cindy Riegel, and Michael Whitfield

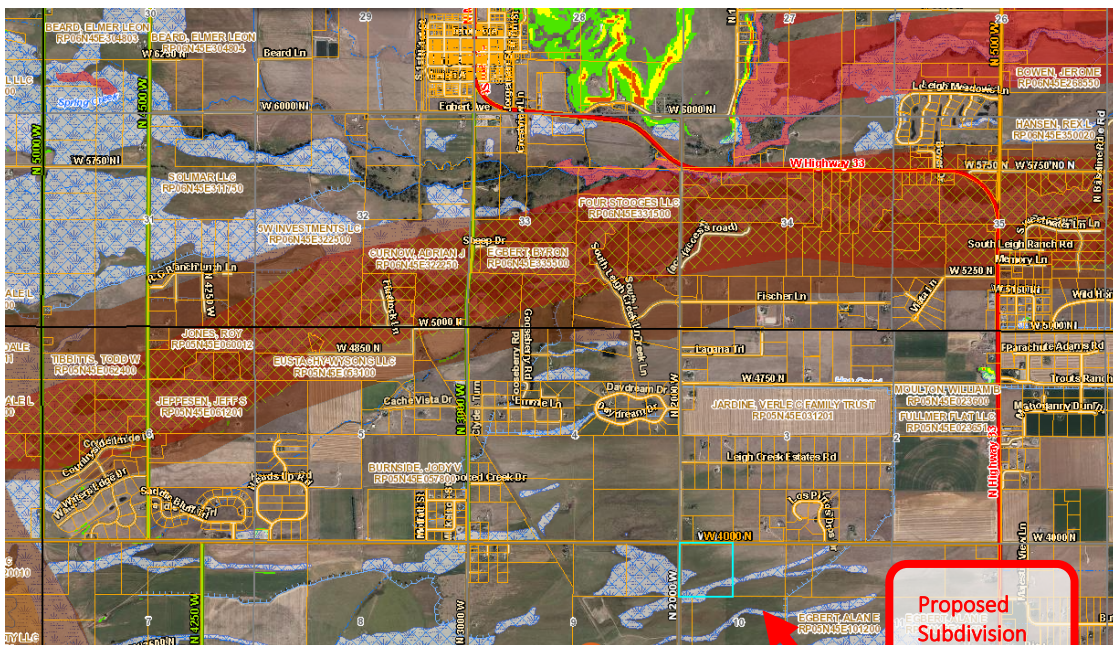


Figure 1. Vicinity Map



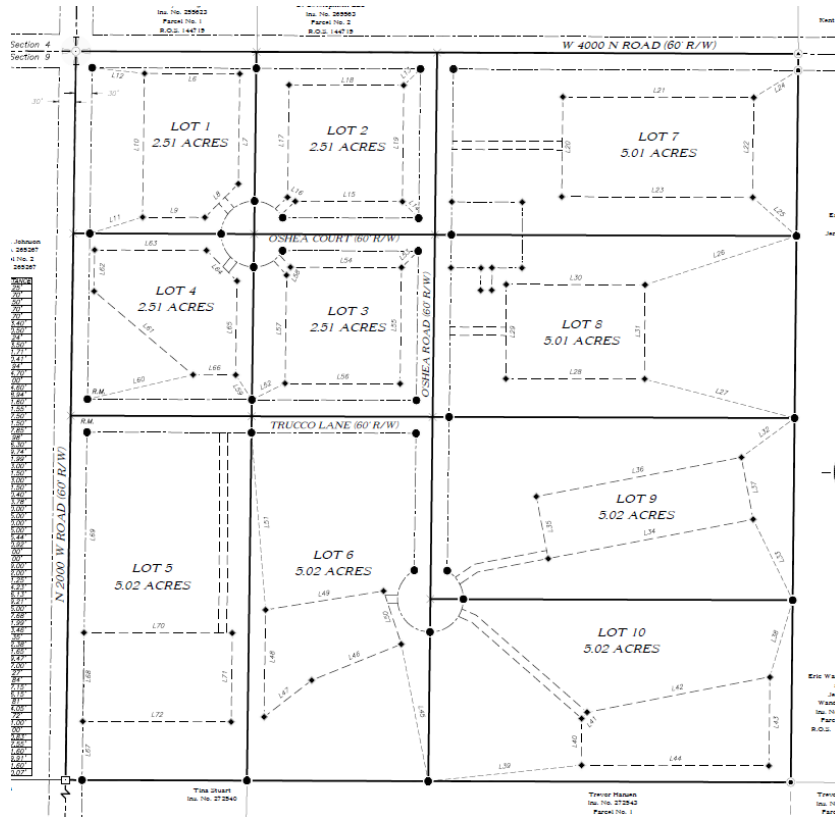


Figure 2. Approved Final Plat

Findings:

The considerations for extension approval, per the Extension Request Application:

1. The developer has diligently pursued financial security for the project. The developer should provide proof of the inability to renew or secure a new letter of credit (or bond, if applicable) and the failed attempts made. **The applicant has obtained a surety and is ready to install improvements.**
2. The denial of the extension would cause undue hardship to a neighboring property. **N/A**
3. It is in the public interest.
4. Delays have been the result of federal, state or local agency demands. **N/A**
5. Application of Title 9 regulations (as amended November 14, 2008) would not significantly alter the extended subdivision's design or dedications. **N/A**
6. Other extenuating circumstance. The developer should substantiate these circumstances.

The applicant's narrative states that they have finalized all of the engineering plans and are prepared to begin work immediately. The need for this extension was an oversight on their part and they wish to





continue the project at the earliest convenience possible. They have secured and have in place the financial requirements with US Bank. They have made no changes to the plan as approved by the BPCC in December of 2024.

Staff Recommendation:

Staff recommends approval of the Recording Extension Request. All final plat materials, CCRs, the Development Agreement and Surety have been submitted are ready to be recorded if approved for the extension request.

The BoCC can determine if an extension request may be appropriate for Irish Acres Subdivision. This request would allow the applicants to record final approval documents. Staff would recommend ensuring the extension request provide adequate time for recording, if granted.

Board of County Commissioners Action:

1. Approve the Recording Extension Request
2. Deny the Recording Extension Request

Motions:

Approval:

I move to approve the Recording Extension Request for Irish Acres Subdivision for months for the reasons listed in the materials submitted on July 1, 2025 which would allow the applicant to record final documents by (insert date here).

Denial:

I move to deny the Recording Extension Request for Irish Acres Subdivision as requested in the application submitted on September 9, 2024, for the following reasons:

Attachments:

- A. Application (2 pages)

