



## TETON COUNTY, IDAHO | Planning Department

### Subdivision Extension Request

#### Summary of application:

The La Duranzo Subdivision is a 15-lot subdivision proposal on ~40 acres at S 1750 E and E 1500 S, on RP04N46E061800. The concept application was submitted on November 18, 2021. A pre-application conference occurred after submission on December 13, 2021.

The PZC reviewed the concept plan on March 8, 2022. Because the application was not signed nor deemed complete by the Planning Administrator, the three-year time frame for approvals began on this date, and would expire *March 8, 2025*.

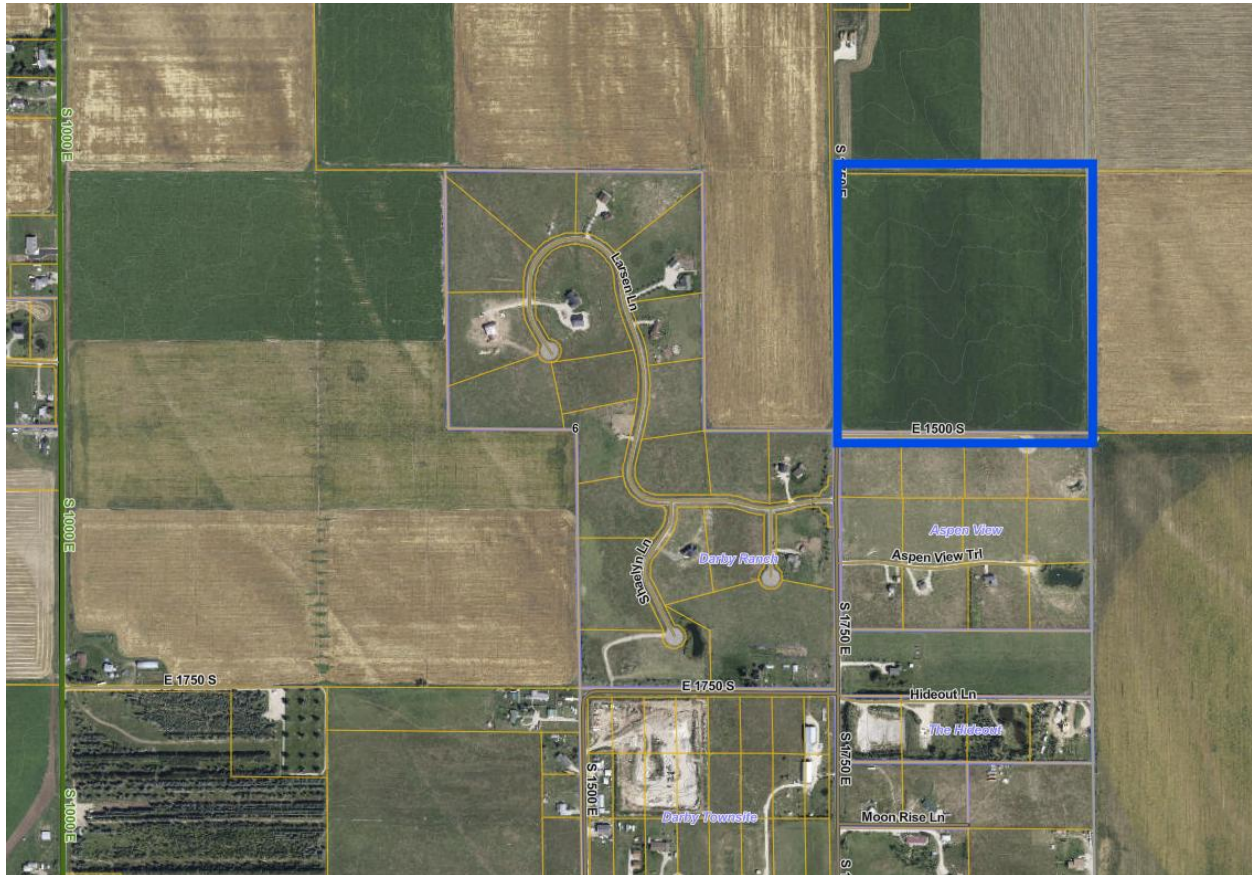


Figure 1. Vicinity Map (parcel in blue)





## Application Background

**Item #3. – PUBLIC HEARING: La Duranzo Subdivision Concept Hearing** BWB4U LLC has submitted an application for a 15 lot subdivision on 40 acres located south of Driggs on S 1750 E and E 1500 S. Zoning is A/RR 2.5 and lots are 2.52 acres each. There are no Natural Resource Overlays on the parcel.

**Legal Description:** RP04N46E061800; SE4NE4 SEC 6 T4N R46E

Ms. Krueger reviewed the application for 15 lot subdivision on 40 acres with no overlays or floodplain. She also reviewed the Engineer review that requires all lots be accessed from an interior road and the large common area open space provided in the center of the subdivision.

Mr. Chet Kasper with Badger Aerial Mapping & Surveying, representing the applicant, commented the center area is not going to be entirely open space. They intend to potentially build a barn and possibly other structures. He confirmed the access will be from County road S 1750. He also confirmed the 30' access to the common area.

### PUBLIC COMMENT:

There was no public comment.

### COMMISSION DELIBERATION:

The Commission had no issues with the application and appreciated the unique design and the common area in the middle of the subdivision.

**MOTION:** Having concluded that the Criteria for Approval of a Subdivision Concept Plan found in Title 9-3-2(B-4) can be satisfied I move to APPROVE the Concept Plan for La Duranzo Subdivision as described in the application materials submitted December 13, 2021 and as updated with additional applicant information attached to this staff report.

<b>RESULT:</b>	APPROVED [UNANIMOUS]
<b>MOVER:</b>	Timothy Watters, Commissioner
<b>SECONDER:</b>	Wyatt Penfold, Commissioner
<b>AYES:</b>	J.A. Michelbacher, Vice Chairman, Erica Tremblay, Commissioner, Timothy Watters, Commissioner, Wyatt Penfold, Commissioner, Rebeca Nolan, Commissioner

The applicants submitted an extension request on November 18, 2024, before the March 8, 2025 expiration.



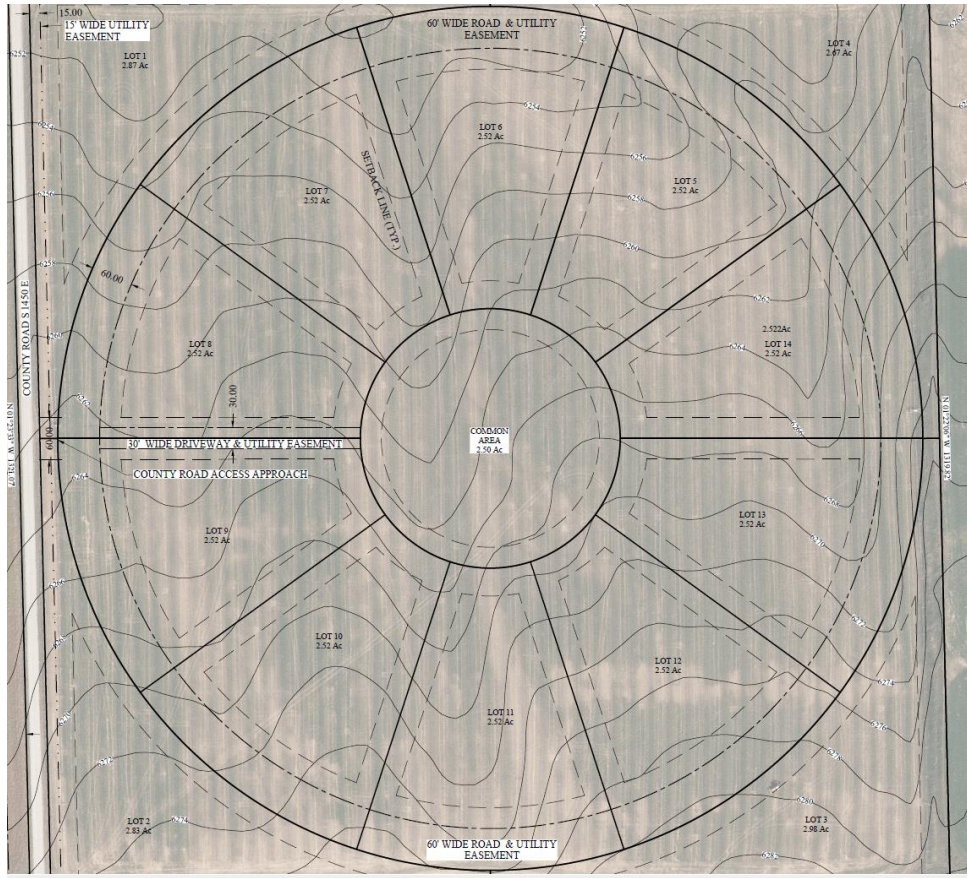


Figure 2. Approved Concept Master Plan

### Findings:

Under Teton County Code §9-3-2 (A-3), one extension of up to twelve (12) months may be granted by the Board of County Commissioners pursuant to 9-3-2 (D-2-J).

The applicant may request in writing prior to the expiration date an extension of time for final approval of up to twelve (12) months from the Board of County Commissioners. The narrative must include specific reasons why an extension is requested, address the criteria in the Subdivision Extension Application, and the extension fee. The fee is non-refundable. No further requests for this time extension 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.

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

1. The developer has diligently pursued the completion of final plat approval and the preliminary plat has been approved.
2. The application was continued by the commission for special studies, i.e.: Traffic, NP, Wetland, Wildlife etc.
3. The denial of the extension would cause undue hardship to a neighboring property.





4. It is in the public interest.
5. Delays have been the result of federal, state or local agency demands, lengthy/unusual review agency timeframes, or required studies that can only occur during a limited time(s) of the year.
6. Application of Title 9 regulations (as amended November 14, 2008) would not significantly alter the extended subdivision's design or dedications.
7. County negotiations for non-required public benefit delayed progress in the project.
8. Other extenuating circumstance.

**Staff Recommendation:**

The applicant is requesting an extension of an additional 12 months to complete the preliminary plat and final plat process.

The applicant's narrative states the following:

**To clarify legalities, I am requesting this extension under category 8, "other extenuating circumstance" – namely medical hardship.** If another category or reason for the extension needs to be selected please let me know. I sincerely hope that the planning department will extend a grace period for me to put the few remaining final touches on my final package to submit for approval. Hopefully, my medical providers will be able to get me back on my feet again so the necessary documents can be submitted within around 2 months.

To substantiate the need and justification for this extension I will be happy to provide stacks and stacks of medical records under basic confidentiality provisions and I also gladly welcome your call with any follow-up questions. Again, I am not a land developer, and this project has been a dream ever since I first visited and fell in love with Teton Valley, and I sincerely hope that the dream can be made a reality despite the short logistic extension needed due to my health conditions.

The BoCC can determine if an extension request may be appropriate for the La Duranzo Subdivision given the 8 listed extension request approval criteria above. This request would allow the applicants an additional 12 months to receive final plat approval.

**Board of County Commissioners Action:**

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





**Motions:**

*Approval:*

I move to approve the Subdivision Extension Request for La Duranzo Subdivision for 12 months for the reasons listed in the materials submitted on November 18, 2024, which would allow the applicant to receive final plat approval on or before May 8, 2026.

*Denial:*

I move to deny the Subdivision Extension Request for La Duranzo Subdivision as requested in the application submitted on November 18, 2024.

**Attachments:**

- A. Application (2 pages)
- B. Narrative (2 pages)

