

February 28, 2024

Via E-mail: jkrueger@tetoncountyidaho.gov
Teton County Board of County Commissioners
C/O Jade Kreuger, Planning Administrator
150 Courthouse Dr. #107
Driggs, ID 83422

RE: Supplemental Narrative in Support of Wendorff Special Use Permit

Dear Board of County Commissioners:

We are the owners of 13.5 acres in Teton County in the Pine Ridge Ranch Subdivision, which fronts on W 10000 S, a public road, about 1/2 mile east of Highway 33. A map of the property is attached to this letter (Exhibit A). The property includes an existing 1,700 SF barn with an 800 SF outdoor covered seating area fronting on a pond. The barn has an attached two-stall bathroom. The barn was constructed in conformity with an approved commercial building permit issued by Teton County. The area around the barn is landscaped and irrigated with a pressurized sprinkler system.

Our property is zoned RA-35. In the RA-35 zone, special event facilities are allowed with a special use permit (SUP).¹ A special event facility is for congregating for the purposes of education, meditation, spiritual renewal, meetings, conferences, social gatherings, seminars, or weddings.² On June 8, 2023, we applied for an SUP for a special event facility on our property to utilize the barn and surrounding gathering area on the property for special events (the “**Project**”).

The Planning and Zoning Commission (PZC) heard the SUP application in October 2023. Planning staff’s project report recommended approval of the SUP with conditions. The PZC also recommended approval of the SUP with additional conditions of approval. Comments from the PZC and public requested additional details be provided to clarify the scope and purpose of the Project. Accordingly, we are submitting this supplement to clarify the details of the Project. This supplement also provides a list of conditions we are willing to voluntarily impose on the Project to mitigate impacts and ensure compatibility.

The PZC also requested that we hold a second informal neighborhood meeting to go over the details in this supplement with our neighbors, which meeting was held on March 3rd, 2024.

A. The Project.

The Project includes holding special events hosted within the barn and surrounding patio and pond area. The vision for the events is to provide a first class facility for diverse groups looking to host retreats, seminars or educational gatherings. We anticipate the space being available year round. This would include events like board meetings, company retreats, or painting classes. These would not be large or loud events. We are specifically requesting that the size limit for all events

¹ Teton County Code Section 3-2-2.

² Teton County Code Section 3-6-13.

held under the SUP would be 50 people unless otherwise approved through the County's temporary use permit process. Less frequently, the property would be used for larger special events like fundraisers or weddings. Under no circumstances would any event ever exceed 150 people, which is the occupancy limit for the barn. The proposed conditions below impose a limit of four large events (over 50 people) per year. All parking would be onsite and in compliance with the code standards.

B. Agency Comments.

The SUP application was provided to agencies and service providers for comment. All comments from agencies and service providers indicate the property and improvements are sufficient for the Project. EIPH commented that the existing septic system is sufficient for the proposed events. Teton County Public Works stated that there are no concerns with the application and that it was "very well done". Per public works comments, parking will be organized to ensure emergency vehicle access and turnaround use. Teton County Fire issued a letter stating its approval of the SUP but noting a final inspection would be needed and that building occupancy shall not exceed 150 people.

C. Conditions of Approval.

All staff recommended conditions of approval are acceptable, which include:

1. Maximum capacity of all events hosted shall be 50. Any event larger than 50 people will require a Temporary Use Permit in addition to this Special Use Permit.
2. Lighting: Outdoor lighting, current and future, shall comply with the Outdoor Lighting provisions of the LDC, Section 4-8. Teton County Dark Sky Ordinance should also be enforced.
3. Onsite Inspection: The planning administrator may determine that there is a need for an inspection at any time. All standards of Section 4-8 (Special Use Permits) and Section 3-16-3 (Special Event Facility) must be in compliance at all times to maintain the SUP.
4. The Planning Administrator may revoke a SUP if conditions of approval are not met in future inspections. Owner may appeal a revocation to the BoCC.
5. Event signage should be used to direct guests to the event using County Roads. All event invitations should include standard driving and parking directions (to be accessed from W 10000 S).

In addition, we would propose the following additional conditions be imposed on the SUP to incorporate recommendations from the PZC's approval and public comments:

1. No more than four events greater than fifty people may be held each year and each such 50-plus person event will require a Temporary Use Permit issued by Teton County.

2. The SUP is personal to the Wendorff family and if the property is sold to an unrelated third-party, the SUP will be automatically revoked.
3. Amplified sound during all events shall comply with Teton County Code Section 4-6(F)(2), for temporary uses, which requires, at the property boundary:
 - a. A sound level at or below one hundred (100) decibels between 9:00 AM and 8:00 PM;
 - b. A sound level at or below eighty-five (85) decibels between 8:00 PM and 10:00 PM; and
 - c. A sound level at or below seventy (70) decibels between 6:00 AM and 8:00 AM and 10:00 PM and 12:00 AM (midnight).
4. The barn and venue shall be made available to local non-profit organizations for events with less than 50 people, at cost only, for up to ten events per year on a first come first served basis.
5. The SUP will be reviewed for compliance by the BoCC in approximately one year from issuance.
6. The hours when events can take place on the property are 8:00 AM to 10:00 PM.

D. SUP Approval Criteria.

As proposed, and as concluded by planning staff, the Project meets all of the special event facility use criteria listed in Teton County Code Section 3-6-13.

Similarly, the Project, as conditioned, meets the SUP approval criteria found in Teton County Code Section 4-8(E). The key criteria at issue in this case are the Project's compatibility with adjacent uses and whether impacts of the project have been sufficiently mitigated. Both are satisfied in this case given the conditions proposed.

With respect to compatibility, the County has made the legislative decision that special event facilities are an appropriate and generally compatible use in the RA-35 zone by including the use as a conditionally allowed use in the new code. The land to the north, east, and west of the property is also zoned RA-35, meaning that the same permitted and conditionally permitted uses could be developed surrounding our property. The Project is compatible in this case due to the size of the Property, 13.5 acres, significantly larger than the 5-acre requirement in the code, which creates significant separation. Exhibit A shows there are no residences within 500 feet of the barn and there are only a handful of residential lots within 1,000 feet of the barn. Also, the barn is in the southeast corner of the property, which is the area of the property furthest from residential development in the Hidden Water PUD. Compatibility is also achieved due to the limitations on event size and noise. The majority of events will be 50 and below. The conditions relative to noise are from the County's temporary use permit standards. The loudest sounds that can be produced at the property boundary is 100 decibels.

Similarly, due to the large size of the property, the location of the improvements on the property, and the numerous conditions limiting the size of events, the frequency of limited larger events, and noise and light production, the impacts of the Project have been appropriately mitigated. With respect to traffic generated by the Project, the property has frontage on a public road and can be accessed from various routes. With the limited size of the events and the fact that they are likely to be held during off-peak transportation times (evenings and weekends), we do not believe the Project will create any undue adverse impacts on the area roadways. However, we are happy to require guests use specific routes and erect directional signage if that is the desire of the Board.

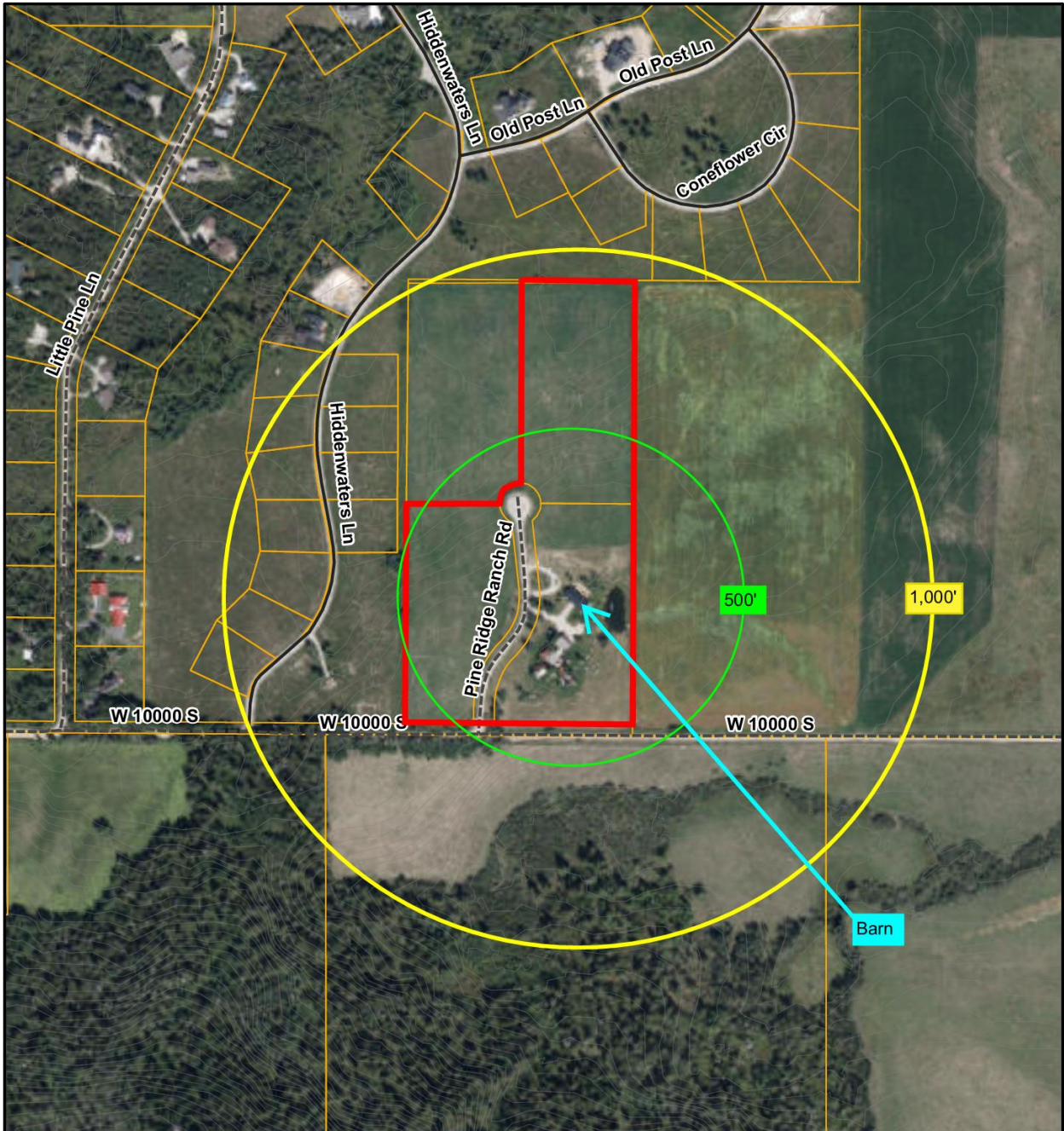
Thank you for your attention to this matter and we look forward to discussing our Project with you.

Sincerely,

David and Kristen Wendorff

Exhibit A – Map of the Property

(Property outlined in red)



2/22/2024, 1:44:19 PM

