



Valley Advocates for *Responsible* Development

March 1, 2023

Teton County Courthouse
150 Courthouse Drive
Driggs, ID 83422
208-776-8254

criegel@tetoncountyidaho.gov, mwhitfield@tetoncountyidaho.gov,
bheneage@tetoncountyidaho.gov, commissioners@tetoncountyidaho.gov

RE: Letter in opposition to Wendorff SUP; issuance of permit will create a resort.

Dear Commissioners,

The record for the Wendorff Special Use Permit (SUP) is full of testimony and written comments from neighbors and agencies, both affirmatively demonstrating that (1) the lot size for this permit is simply too small to be permitted under the Land Development Code (LDC), and (2) both access roads to the Wendorff Family (Wendorff) properties each contain significant maintenance and access issues. These are both accurate and wholly defensible reasons for denying this permit. Rather than further contribute redundant testimony to what has already been clearly established by citizen and agency comments, I would like to raise the following *novel arguments in support of denying this SUP*.

ISSUE #1: Approval of this Special Use Permit will create a recreational resort.

The SUP requested by the Wendorffs is the lynchpin to turning the entire trio of Wendorff properties into a full-scale recreational resort. At over 7,000SF, the existing



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Wendorff main house is large enough to be a lodge.¹ With 24 foot timber-framed ceilings, multiple bunk rooms, it can sleep 20 people.²



Pictured Above: Main house images taken from [Dubbe Moulder Website](#).

The main house has a swimming lake and multiple indoor-outdoor living spaces. Per state law, this expansive, lodge-type house can already be rented via Airbnb or similar company, far beyond the reach of any regulatory authority by Teton County.

Turning to the custom-built Wendorff barn (hereafter Event Barn), it contains a total of 2,500SF indoor/outdoor space. Constructed under a commercial building permit,³ the Event Barn was designed and built as a high-end commercial space with a commercial grade kitchen - *right from the outset*. It contains no tractors or similar equipment. If Teton County now issues a SUP for this Event Barn to legally be used as a for-profit

¹ Teton County, Idaho Building permit 07-1012-340 was issued in October 2007 for the residence. It included 4,963 sf of habitable space, 847 sf of attached garage and 1,199 sf of detached garage.

² [See photos](#) taken from Wendorff house article featured on [Dubbe Moulder website](#); *See also*, additional Wendorff house article in [Western Art and Architecture](#) magazine, January, 2022.

³ Teton County, Idaho Building permit 20-1105-242 was issued in November 2020 for the barn. Per the Wendorff's Supplemental Narrative, it was built under a commercial permit.



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event space, that will be the last and final piece to creating a full-scale recreational resort that is almost beyond county regulation.

This recreational resort can be sold at any time.

Behind their simple narrative, *Wendorffs are a very sophisticated party*. By trade Mr. Wendorff is a developer in California. He owns at least four development companies, with many more that have recently been dissolved.⁴ It is well established that SUPs attach to the property - not the permit holder. With this valuable SUP in place, this newly-minted resort property can now be freely sold for a hefty sum. The applicants may state that they have no intention of selling, but this Board has learned quite well that such verbal assurances are unenforceable and effectively meaningless.

This recreational resort can thereafter significantly expand in size *by-right*.

With the SUP authorizing the for-profit Event Barn, the remaining properties owned by Wendorff within the Pine Ridge Ranch Addition *can now be developed by-right under Teton County's Land Development Code* to provide several new Airbnb properties for housing additional guests.

Wendorffs currently own two other abutting lots, and they have stated they are seeking to purchase the third lot in Pine Ridge Ranch Addition. As a pre-platted residential subdivision that predates the current LDC, these lots are grandfathered to allow residential structures to be constructed **by-right**. Per the LDC, on each remaining lot owned by Wendorffs, *ALL of the following can be constructed at any time, without public notice or a hearing*:

1. A main house of unlimited size
2. A barn (or Event Barn) of unlimited size up to 60-ft high⁵

⁴ David Wendorff currently owns the following California LLCs: Wendorff Development LLC, DMG Realty Investors, Inc, WGP, LLC, Stonebridge Development. [Click to view California filings](#), and also Wendorff's [dissolved California LLCs](#).

⁵ If additional Event Barns were built on the remaining lots, they could be designed to look just like the current one - *or even be bigger*. These Event Barns would not be permitted for public events under this proposed SUP, but their mere existence would significantly add to the capacity and intensity of the resort.



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3. One ADU of up to 1,200SF⁶
4. A swimming pond with dock
5. Infrastructure for horse & other animal paddocks, archery and clay shooting, recreational jumps and trails for bikes, 4-wheelers, and moto-bikes, etc.

Without any due process to the neighbors, the Wendorff properties can quickly balloon into a large full-scale private resort operating far outside of county control through Airbnb, where the only regulatory authority Teton County will have is the issuance of the SUP for the Event Barn. If Wendorffs submit building permit applications for residential structures and barns that meet the International Building Code, Teton County's hands will be tied. So long as the permit holder is compliant with the terms of this SUP, Teton County will be unable to regulate any of these other permitted uses, even though the end result is a large commercial operation.

Pictured RIGHT: This is a depiction of the structures that can already be built **by-right** on the remaining two Wendorff lots, allowing the resort to quickly expand its housing options outside of the regulatory control of Teton County.



ISSUE #2: The Event Barn abuts the Cook conservation property and easement.

The Wendorff property *immediately abuts* the 180-acre Lawrence L. Cook conservation property to the East which includes a conservation easement held by Teton Regional Land Trust. The 160-acre conservation easement begins about 600 feet from the Wendorff property.

⁶ Teton County Land Development Code Section 3-9-3.



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Pictured Above: Wendorff Event Barn immediately abuts the 180-Acre Lawrence L Cook conservation property. The 160-acre easement begins approx 600 feet to the East.

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The Cook easement and property are covered with large swaths of federally recognized wetlands, and Smith Canon Creek also traverses the length of the property. *Many consider the Cook property to be the headwaters of the Teton River.* The Cook property also contains Waterbird Breeding, Migration, Foraging and Wintering Habitat, Big Game Migration Corridors, and Songbird/Raptor Breeding and Wintering Habitat.

Turning back to the Wendorff property, it not only falls completely within the Big Game Migration Corridor & Seasonal Range that is currently under review, the Wendorff's property is located *entirely within the following zones that are directly related to health, safety, and risk of hazards:* (1) the Teton County Bear Conflict Zone, (2) the Teton County Wildfire Hazard Overlay, and (3) the Teton County Hillside Overlay.

With decades of professional biological and environmental experience prior to taking office; this Board can appreciate how profoundly these abutting land uses are at odds and conflict with each other. *This area is too environmentally sensitive for a resort.*

ISSUE #3: Wendorffs current use of the Event Barn already conflicts with neighboring land uses.

Wendorffs maintain they are, and will continue to be, considerate neighbors. They have pledged that the commercial activities at the Event Barn will be *mostly* small and low intensity. To demonstrate this, Wendorffs held a trial run kick-off birthday event in June of 2022 which they characterized as a tidy, orderly, memorable success. They included peaceful, bucolic photos in their application packet to Teton County planning staff. At the October 10, 2023 Planning & Zoning Commission hearing, Wendorffs bemoaned the fact that jumpy neighbors called the police prior to 10PM on their birthday event, citing noise complaints. They admitted that they had not filed for any kind of event permit.⁷

A totally conflicting story of their kick-off event can be found on Mr. Wendorff's own Instagram account where he [posted a video of his loud, raucous birthday party](#) complete with performances by professional musician [Tyler Booth](#) and full-size stage and sound accompaniment *that would rival Music on Main any day.*⁸

⁷ October 10, 2023 Wendorff hearing video recording by Teton County, Idaho, see at 2:46.

⁸ If the Instagram link is no longer publicly available to view, [a back-up copy of Wendorff's party video is saved here.](#)



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David Wendorff on
Instagram: "Tyler Booth-
amazing artist and perf...
[instagram.com](https://www.instagram.com)

Pictured above: David Wendorff's instagram images and video of the "trial run" party for their Event Center featuring musician Tyler Booth. Wendorff's had no permits for the event. Neighbors from over a mile away filed police reports citing noise complaints. [CLICK HERE](#) to view Wendorff's party video.

Aside from birthday parties gone wild, the record includes neighbors describing the regular distraction and frequent nuisance of four-wheelers and dirt-bikes zooming along their neighborhood's private road from the Wendorff property at all hours of the day and night. Several letters specifically complained about frequent night gatherings, parties, and music. Clearly there is conflict between how the Wendorffs perceive their current use of the property and how it is interpreted by the neighbors. With this conflict in mind,



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if Wendorffs are now given the outright legal authority via an SUP to go ahead and host commercial events, the need for county policing this permit and adjudicating neighbor complaints will surely intensify.

ISSUE 4: The Event Barn sits 50 feet higher than surrounding homes.

The conflict between Wendorffs and the neighbors has been exacerbated by the fact that this Event Barn and house are built on top of a large bald knoll at 6,160 feet in elevation - *that is a full 50 feet higher than the neighboring homes to the North and East.* With large windows, sliding glass walls, vexed neighbors have written comments on how it glows at night and interior event noises are brought outside whenever the walls slide open. Sitting atop the mostly-bald hill, sound from this large glowing Event Barn will be nearly impossible to screen and will surely impact the greater neighborhood, regardless of any screening standards in the LDC.

ISSUE 5: There has been NO country-requested neighborhood meeting to date.

Despite what the Wendorffs say in their Supplemental Narrative, there has been NO neighborhood meeting to date. There is one scheduled for Sunday evening, March 3rd.

The P&Z *asked for this neighborhood meeting to be done six months ago* at their Oct 10, 2023 hearing.⁹ Our staff met with Mrs. Wendorff at our office on January 16, 2024 and emphasized the importance of having the meeting soon, to allow for public comment and modification of any conditions. Yet, the hearing is scheduled for a Sunday evening, *only one week prior to the hearing*, and most notably, *after* the public comment period has closed.

CONCLUSION:

This is a familiar story of a square peg in a round hole. The proposed use is in utter conflict with the existing neighborhood uses. If Teton County permits this SUP for the Event Barn, the effect will be to release upon this extremely quiet, rural Ag-35 neighborhood, a nearly unregulated recreational resort where there is already a history of conflict between the Wendorffs and neighbors.

⁹ Teton County Idaho Planning & Zoning Commissioner hearing minutes, October 10, 2023.



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Please deny the Wendorff permit.

Thank you for your time and service to our community.

Respectfully,

Anna Trentadue

Anna Trentadue, Program Director/Staff Attorney
Valley Advocates for Responsible Development

March 1, 2024

Board of County Commissioners
150 Courthouse Drive
Driggs, ID 83422

Subject: Wendorff Special Use Permit Application

We are writing in opposition to the Special Use Permit Application by David and Kristen Wendorff for their property at 9885 Pine Ridge Ranch Road Victor, ID.

We are opposed to this SUP for several reasons, many of which I am sure are also being addressed by neighbors of ours and our surrounding community. Some of which include:

1. A commercial business of this type directly adjacent to a neighborhood community of families, community employees, and retirees is unacceptable. We all moved here to enjoy the beauty and serenity of our surrounding valley. A commercial business of any type is in direct competition with the serenity we've all invested in when choosing to move to Hiddenwaters.
2. The number of events requested under this SUP was as many as 15 events with up to 150 people in attendance. So, if this SUP were granted, it is not unreasonable to assume those 15 events would be scheduled during our precious summer weekends. Therefore, I and my neighbors can count on every weekend from Mid-June through Mid-September to be disrupted by these outdoor events with hours of incoming traffic, noise, light pollution, and then outgoing traffic. Every weekend. Clearly this is in opposition to the serenity we so cherish.
3. Access via Hiddenwaters and Aspen Grove: If this SUP were granted, our Hiddenwaters association would have no choice other than to install gates to prevent any unwanted traffic traveling through our neighborhood. This added expense to Hiddenwaters homeowners would only be needed should this SUP be granted. Additionally, the elimination of access through the Hiddenwaters neighborhood places an unfair burden to our Aspen Grove neighbors and friends.
4. Access via 10000 South. The quality & condition of 10000 South is not passible during winter, spring mud season, nor during a heavy rain event. If this SUP is granted, Teton County would be obligated to improve 10000 S. for access by emergency fire and rescue vehicles and place a very significant tax burden on our Teton County residents for the sole benefit of a single entity.
5. And finally, granting this SUP will certainly result in lowering our property values. Hiddenwaters has 41 lots alone, not to mention Aspen Grove and the surrounding family properties. The certainty that this commercial business would lower the property values of our homes and community is unacceptable. Of course, the lowering of our property values will consequently lower the property taxes the county could otherwise expect.

It seems to us irresponsible and quite frankly inconsiderate should the BoCC approve this SUP. So, in addition to our points above and along with the long list of other reasons you will receive from our neighbors, we oppose this SUP application.

Yours Sincerely,

John & Megan Sweeterman
9760 Hiddenwaters Lane
Victor, ID 83455



Sharon Fox <sfox@tetoncountyidaho.gov>

Special Use Permit, David And Kristen Wendorff, 9885 Pine Ridge Ranch Road, Victor

Mary Lou Allen <peacemaker5473@gmail.com>

Tue, Feb 27, 2024 at 9:26 AM

To: pz@co.teton.id.us

This is a resubmission of an Email sent for previous hearings. There are some minor changes.

We own property directly across 10,000 South, to the south. We are very familiar with this property and the challenges faced there as well as the beauty of the area. My Grandfather Henry Earl Allen homesteaded there in the early 1900s. We continue to farm and ranch on this property.

We are concerned with the obvious impact this size of groups could have on the area, There could be a lot of people exploring the beautiful surrounding area as well as traveling to and from the property. Any rural area which has had livestock and wildlife as the primary occupants is going to see some big changes when a group of 150 or more people, plus the additional services and personnel needed to support such a group, moves in. Frankly, I am not eager to see this happen in our rural agriculture location.

This is an area that has not seen a great deal of improvement to the roads and access. Historically 10,000 S. was a dead end road, thus seeing very little traffic. When other developments in the area connected 10,000 S. on through to Highway 31, the road became a shortcut to the south Victor area and on to Jackson. The road has not been improved to handle a huge increase in traffic. The county has had limited involvement with road building or maintainance in this area. It is a rutted, one lane road. There is a blind hill summit on this one lane road immediately south of the property on 10,000 South. The road east of the property also has areas that become impassable after a rainstorm. Approximately 3/4 of a mile of 10,000 S. east of the property has never had wintertime maintenance. The width of the roadway is not adequate to permit such maintenance.

The logical access, in my opinion, would be off of Highway 31, at it's juncture with 10,000 S, This access is not ideal either. It has width limitations as well, especially for winter maintenance. It is a not adequately improved one lane road for about 1/4 mile accessing the property. Historically, it has been an area with little access, especially in the winter.

Road widening and improvement would of course be expensive and have a big impact on adjacent property owners. In my opinion such improvements would be needed for safe access for the kind of impact we could see from this kind of business.

One possible solution may be to tone it down, number-wise, and limit the seasons of operation.

Respectfully Doyle T. Allen
[1465 W. 9500 S.](#)
[Victor, Idaho](#)



Sharon Fox <sfox@tetoncountyidaho.gov>

Wendorff Application

1 message

Tony Arneson <antonarnz3@gmail.com>

Fri, Mar 1, 2024 at 4:57 PM

To: "pz@co.teton.id.us" <pz@co.teton.id.us>

Cc: Tom Clark <tom.clark@ucdenver.edu>, John Sweeterman <johnsweeterman@yahoo.com>

Dear BOCC:

We are relatively new owners of Lot 33 in the Hiddenwaters Subdivision. Our lot is located immediately below and to the NE of the Wendorff property. We can clearly see their structures and will certainly be exposed to all things audible and visual coming from there including music, voices, laughter, traffic and late night lights.

We purchased our lot in November 2022 with much excitement about building our dream home in what is now a beautiful and peaceful valley in Teton County. Our daughter lives in Wilson, WY and living in Victor would allow us to spend a good part of the year close to her.

Tom Clark's "Assessment of the Wendorff Application" is spot-on relative to all the history and technical and legal aspects of the Wendorff's request. We hope your committee considers strongly each of the facts Mr Clark points out in his letter. They are all true and point to deceptions and ways to get around the laws that have taken place. For us, it is amazing how the Wendorff's were able to trick their way into building what they ultimately intend to be a commercial venture - one that would be located right above the current and future members of two wonderful residential neighborhoods. All of this should be considered by your board.

In addition, we can't help but remain shocked at the process and decision-making of the PZC committee that approved the Wendorff's initial application and moved it onto your board. After reviewing and hearing resident after resident indicating they felt the Wendorff's request should be denied (and all for very valid reasons) and having a biased committee member choose not to recuse himself due to a prior financial relationship with the Wendorffs, the committee then bent over backwards to come up with a list of stipulations that would justify in their minds approval of the application. It truly was shocking, inappropriate and unconscionable. On its merits, the application should have simply been denied and this never should have come to your board for consideration. As an FYI, only one person offered favorable comments and she was an admitted friend of the Wendorff's. All others making comments were against. The residents who were against and clearly in the majority, were absolutely ignored.

Add to all this, the blatant discrepancies that Mr Clark points out between what appeared in the minutes and what was transcribed from the committee meeting recording. It makes outsiders like us wonder what the heck is going on.

We beg you to do the right and honorable thing and deny this SUP on its merits and the history that got us to this point. This commercial venture will be bad for the neighborhood, bad for Victor and bad for Teton County. It does not belong in a residential neighborhood.

We make one final point. Is it not your purpose to promote Teton County for all its good things and to encourage people to come, live and spend money here? Or is it your intent to drive such supporters of our communities away?

Respectfully,

Tony and Sue Arneson
Lot 33, Hiddenwaters



Sharon Fox <sfox@tetoncountyidaho.gov>

Wendorff project on 10000

Brents Hawks <brentshawks55@gmail.com>
To: pz@co.teton.id.us

Thu, Feb 29, 2024 at 8:34 AM

Hi and thanks for your time. My wife Arcy and I live on Little Pine Ln. near the Wendorff house. We are very much opposed to them having large special events there, mainly for the large amount of traffic it would bring to our neighborhood. The one big event they had last summer was a good indicator of what it would be like. The music was so loud it literally rumbled our house until 10:00 at night.

Thanks for listening Brents



Sharon Fox <sfox@tetoncountyidaho.gov>

Wendorff SUP

1 message

Hannah Calton <hannahcalton@gmail.com>
To: pz@tetoncountyidaho.gov

Thu, Feb 29, 2024 at 8:45 PM

Hello,

I'm writing to say I am in favor of the proposal for the Wendorff SUP and encourage approval. They are a trustworthy family and bring together the community in a beautiful way.

Thank you,
Hannah Calton



Sharon Fox <sfox@tetoncountyidaho.gov>

the wendorff barn

1 message

Scott Christensen <scott@christensenstudio.com>
To: pz@tetoncountyidaho.gov

Thu, Feb 29, 2024 at 7:43 PM

I support the Wendorff application for an SUP"
scott christensen
victor idaho 1100 e 5000 s
victor 83455

February 29, 2024

Board of County Commissioners
150 Courthouse Drive
Driggs, ID 83422

Subject: Wendorff Special Use Permit Application

I am writing today to voice my continued opposition to the Special Use Application by David and Kristen Wendorff for their property at 9885 Pine Ridge Ranch Road near Victor. I have opposed this effort for the past six months. I have made numerous trips to various County offices to gather a better understanding of several key points. I submitted two letters stating my opinion and recited numerous, relevant points from the LDC previously. I also attended the P&Z Commission hearing and spoke in opposition.

I believe the Planning Staff rendered a very liberal interpretation of several key points to support its recommendation to approve this application. Some of which include:

1. The minimum required lot size for such use is clearly stated to be 5.0 acres. There is no mention of a bonus, or special consideration, if the applicant owns other adjoining property.
2. The LDC requires parking for all events to be on site. There is no language such as “or on neighboring streets”. However, their application makes it clear they intend to park on the shared roads. This also raises emergency vehicle access issues.
3. Even if the Wendorffs were required to replat their lots to comply with the minimum lot size, their adjoining property to the north appears to be on a slope. Creating on-site parking there might require significant effort in terms of grading. The resulting (terraced) parking area would be visible from Hiddenwaters. It would also require screening as noted in the LDC at significant effort and expense. There is no required screening indicated on the site plan in their application.
4. The LDC requires any proposed Special Use to be compatible with adjacent uses. How can a for-profit commercial use be compatible with adjacent uses? Their property adjoins Hiddenwaters PUD which is a strictly residential neighborhood. Even the recorded CC&R (instrument #229484) for Pine Ridge Ranch Subdivision restricts all uses to be residential. Parking on shared roads is also forbidden. It further states no activities that are an annoyance shall be allowed.
5. The LDC requires the County to be able to provide emergency services. Given the proposed parking plan, this would be a challenge and people’s safety and lives could hang in the balance due to the subdivision roads being clogged with the vehicles of party attendees. Even if the parking was required to be on site, that does not address the narrow condition of County Road 10000 South near the Wendorff

(Continued)

property. Upgrading portions of 10000 South would require significant effort and expense, potentially creating a financial burden to all taxpayers of the County.

During the P&Z Commission hearing on 10/10/2023, several members voiced various concerns. Two members expressed concern the lot was not the required 5 acres. The chairman and one other member stated the use was not compatible with the neighborhood. One member did not feel the sound could be adequately controlled with neighbors so close by. The motion to approve included language stating the application had met the criteria found in LDC Section 4-8. Section 4.8 Paragraph E Review Criteria items 4 (emergency access), 5 (compatibility) & 6 (mitigation of adverse effects) clearly were not met. In spite of their comments and concerns, the Commissioners voted to recommend approval by a split decision (4-2).

In general, I feel the Planning Staff and P&Z Commissioners both came up well short in their review, deliberations and recommendations on this important matter. Staff consists of professionally trained and educated specialists who are charged with upholding the LDC, not ignoring it. The P&Z Commissioners, in an advisory role, also appeared to have ignored some of their own comments and also recommended approval. Even the recent notice of the upcoming hearing recites several of the same items of concern and states your decision will be based upon compliance with these various items.

As County Commissioners, you are charged with and entrusted to make decisions that best reflect the needs of all the residents of Teton County. In keeping with your mission statement, you are to “serve all of Teton Valley by making decisions which will ensure the County’s economic and environmental future; as well as the health and safety of the residents”. I fail to see how approving this Special Use Application does anything good of the rest of the County. As fulltime residents, I can assure you there is no benefit to the immediate neighborhood. More than thirty letters in opposition were received, compared to only two in favor, during the Planning review/comment phase. Most importantly, there is no financial benefit to the citizens of the County. To the contrary, County expense might likely increase to upgrade and service 10000 South for the benefit of two people!

In summary, I call on the Commissioners to deny this application. There is ample evidence and logic to support such a decision. It is hard to find any benefit in granting approval. I know you rely on the recommendation of the Planning Staff and P & Z Commission. However, in this case, your decision should be based on fiscal responsibility and code compliance, not their flawed recommendations. Please do the right thing and deny this application.

Respectfully submitted,

Gregory and Moira Cisco
Lot 27 Hiddenwaters

Assessment of the Wendorff Application for a Special Use Permit for a Party Barn Adjacent to the Hiddenwaters Subdivision in the SW corner of Teton Valley

Submitted by Tom Clark, Ph.D.: Resident in Teton County since 2009, now Year-Round in Hiddenwaters. Emeritus Professor of Urban and Regional Planning (McGill, Middlebury, Rutgers and U. of Colorado Denver/Boulder). Currently editorial board member for several international scholarly journals including Sustainability and service on others including Land and its recent special issue on "Agricultural Land Use and Rural Development".

Submitted on 2.29.2024

Here are eight key points in opposition.

1. Legal objections.

I refer you to the submittal letter of Herbert J. Heimrel III of Heimrel/Beard/St. Clair, Attorneys.

Essential points (See letter for full statement):

- Original application for Lot 4 alone fell short of requisite 5 acres for such a facility.
- LDC does not permit aggregation of Lots, combining additional lots # 1 and 3 without a lot line adjustment and plat amendment.
- Barn cannot qualify as a habitable structure.
- Barn is 1700 SF so would have had to have been permitted as an Accessory or Agricultural building under 8-2-1A of the old LDC. Neither building class defined under 8-2-1-A of the old LDC is to be used for "human habitation" or "use by the public".
- Under the new LDC accessory dwelling units, which are the only type of accessory structures that allow for human habitation, are a permitted a maximum size of 1500 SF on lots of less than 7.5 acres.
- The barn, hence, is a non-conforming structure that cannot be modified, changed, expanded, or replaced "*except to meet present LDC requirements*".

2. Insufficiency of public facilities and services: County Road W 10,000 S is grossly inadequate. Traffic, seeking to avoid W 10,000 S as much as possible, will seek to use Hiddenwaters Lane or Little Pine Lane threatening pedestrians, stirring up dust, and disrupting these adjoining residential areas. The expense of bringing W 10,000 S up to standard would be prohibitive for the county. Emergency vehicular access will be impeded. Absence of such upgrading would necessarily render this SUP application null and void.

3. Fire Hazard: Located adjacent National Forest Boundary, and the USFS has expressed serious concern. PZC staff states that "This barn is already constructed and vegetation management was encouraged". Bringing to the barn large numbers of visitors unaware of the fire threat or prone to avoid hazardous behavior renders these instructions grossly ineffectual. Consider past fire threats in this same area. Perhaps 450 fire fighters were encamped in a Victor town park for over a week. Tentative evacuation orders were issued.

4. "Incompatibility with adjacent uses in term of location, scale, site design, hours of operation and (other) operating characteristics": Staff response: Barn is compatible. But it sits on a ridge overlooking 40 home sites in Hiddenwaters in close proximity. NOT COMPATIBLE. Approval of the original "barn" by the Building Department was on 11.5.2020 and final inspection of the finished "barn" was on 11.2.21. The old LDC was

replaced on August 3, 2022. So the barn was built under the old LDC. The building inspector signed off on numerous barn upgrades that were not compatible with a “barn” defined as an accessory or agricultural building under the old code. But such a use would be in violation of both the old and the new LDC and related zoning maps. The old zoning was A-2.5 and the new, R-35. Commercial use is incompatible under both. Given gross incompatibility, a much higher standard should be required for the award of any SUP. No change in Occupancy Classification should ever be accorded this barn to accommodate the incompatible use being pursued by the Wendorff’s.

5. **Violation of Administrative Process:** The structure first permitted was labelled a “barn”. Though permitted by the Building Department, it was outfitted to a higher standard (IBC/IRC) without there having ever been documented or permitted a commercial function affording consistency with the zoning map. Had it been permitted under the Ag exemption, of course, then “no construction plans would have been required and no inspections performed”. Such a structure would be intended “for storage of crops and equipment without any area for human habitation. (And) it may not in the future, be converted to anything else” (email Wendy Danielson, 2.16.24). The applicant, it appears, may not have declared a higher use (despite upgrades) at the time of the initial application for a building permit in order to create the impression of compatibility with the zoning map.
6. **Property Rights:** The so-called “party barn” is a gross violation of the property rights of adjoining residential lot owners. I anticipate at minimum a loss in the assessed value of adjoining lots of between 10 and 15% in the next decade if this permit for an SUP were granted. Teton County, in turn would suffer a significant loss of tax revenue. Combined with the huge expense if County Road W10,000S were widened and blacktopped, and the impact would be cost-prohibitive.
7. **Parking:** Staff says parking must be on site and landscaped. Neither criterion is now nor prospectively met.
8. **Minutes:** I understand Staff’s “minutes” of the last PZC hearing on the Party Barn may not have included all key conditions for approval. Below are the seven:

The conditions of approval transcribed from the recording of the PZC meeting by Susan Lykes.

1. No more than 10 events of 50 or fewer attendees, and no more than 2 events of more than 100 attendees [sic].
2. One quarter of the events are to be “local nonprofit events.”
3. The events center will be reviewed at one year for renewal and to assess compatibility with the neighborhood.
4. The SUP will not be transferable to new owners.
5. Noise from the events center must be no more than 70 dB at the property line.
6. There must be an emergency management plan submitted before consideration by the BOCC.
7. The P&Z recommends the Wendorff’s meet with the neighbors before BOCC review (this is not a condition of approval).

In contrast, here are the conditions of approval listed in the Staff Report. These apparently constitute the “Minutes” that the PZC apparently voted to accept.

1. Maximum capacity of all events hosted shall be 150. 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).

Comment: A careful comparison of these two sets of conditions reveals important differences. Awareness of this discrepancy emerged just two days prior to the deadline for comment submissions which is March 1 at 5 pm—not enough time for letter-writers to digest this information. While I can suppose the applicant for this SUP might favor one set over another, there is really but one pertinent list and that is what appears in the original list of seven. Raising this discrepancy might be taken to suggest that there is room for negotiation. However, there is not. This Party Barn is unsuited for its present location and must be rejected out-right. Failure to include provision #4 in the list of seven is most telling as it stipulates that the SUP cannot be transferred—were it even approved—to another owner. This condition is not included in the minutes. The BoCC should be aware that these several conditions are so cumbersome that their future enforcement would be close to impossible, enmeshed in endless legal entanglements. Case in point: The MD Nursery on SH33 whose overall scope has evolved over time in the absence of strong oversight by the County.

To: Board of County Commissioners
From: Pam Coleman
Re: Special Use Permit—Wendorff Hearing

February 29, 2024

Dear Board of County Commissioners,

I am writing to express my opposition to the application for a Special Use Permit submitted by David and Kristen Wendorff on their 9885 Pine Ridge Ranch Road property. This property runs adjacent to the Hiddenswaters Subdivision and along side a sloped, single lane, dirt road section of 10000 S. The intent or purpose for their proposed SUP is to be able to operate corporate meetings, creative retreats, spiritual retreats and other special events such as weddings that would accommodate a large numbers of guests (50-100+ people) at a time. This is particularly heavy use in this designated Hillside and Wildfire Hazard Overlay area of the valley.

It is my belief and experience that a special events facility such as the one being proposed would cause a rather significant disturbance and disruption to the surrounding residences, as well impacts to the surrounding infrastructure and general landscape. The potential disturbances for which I am most concerned include some the following:

- 1.) Heavy road traffic/use will be a disruption and hazard to the surrounding neighborhoods and homes. More specifically the road that provides public access to the property 10000 S. is rugged and minimally maintained in nature. Not only will such use impact the quality of the primary access road, It is safe to assume guest will use neighboring subdivision roads to enter and egress facility.
- 2.) Sounds from the events will carry omnidirectionally on the hillside and with events going until 10pm (not to mentioned end of event noise and commotion) that could go well later into the night.
- 3.) Light pollution from events will be a disturbance for surrounding neighbors and residences.
- 4.) Risks to surrounding wells via the shared aquifer and increased septic use.
- 5.) Lastly, increased fire risk, in an already designated Wildfire Hazard Overlay with increased people and event activities.

As a property owner in the Aspen Grove neighborhood, it is my hope that you will take my concerns into significant consideration. Again, my husband and I are strongly adverse to this request for a Special Use Permit for a special events facility in a rather quiet area of the valley with neighboring, single home residences.

Sincerely,

Pam and Worth Coleman

9840 Little Pine Lane
Victor, ID 83445



Sharon Fox <sfox@tetoncountyidaho.gov>

Wendorff Party Barn SUP Hearing

1 message

Jason Danley <jason@peakcapitalpartners.com>

Fri, Mar 1, 2024 at 6:14 PM

To: "PZ@co.teton.id.us" <PZ@co.teton.id.us>

Dear BOCC:

We are the owners of lot #40 in the Hiddenwaters Subdivision. Our lot is located immediately below Wendorff property. We are 100% opposed to their SUP application and commercial use of their property in a residential neighborhood.

We are aware of the process by which the applicant constructed residential structures and a residential barn and then has strategically converted them to a commercial use. Their goal for financial gain is sadly impacting the lives of a hundred or more of their current and future neighbors.

We feel strongly that this application should not have proceeded this far. The many reasons this is not a permitted use in this zone have been well outlined by other homeowners. We ask the Commission to use common sense and consider all the other home and lot owners who bought their homesteads with zoning protections in place against exactly this kind of use.

We implore you to consider the many, many other tax payers and citizens who also have private property rights, and do the honorable thing and deny this SUP on its merits and the history that got us to this point.

Respectfully,

Jason and Lindsey Danley

Lot 40, Hiddenwaters



Sharon Fox <sfox@tetoncountyidaho.gov>

Fwd: Public Hearing Comments 3/11/24

Dan Reyes <dreyes@tetoncountyidaho.gov>

Tue, Mar 5, 2024 at 10:12 AM

To: Sharon Fox <sfox@co.teton.id.us>, Jade Krueger <jkrueger@co.teton.id.us>



DAN REYES IPMA-CP

County Manager

208.351.9244

dreyes@co.teton.id.us

150 Courthouse Drive | Driggs, ID 83422



Cultivating Community to Enrich Lives

----- Forwarded message -----

From: **Laurel Eastman** <laurel@laureleasantman.com>

Date: Tue, Mar 5, 2024 at 10:08 AM

Subject: Public Hearing Comments 3/11/24

To: <commissioners@tetoncountyidaho.gov>

Good morning Commissioners!

First and foremost thank you for your service to Teton County, I really appreciate you doing this important job.

As a property owner in the county in the RA zoning I'm writing to recommend you deny the SUP for the Wendhorff property because of their disrespect for the rules.

Thanks so much!

Laurel Eastman
Double Silo
4432 W 5250 S
Victor ID



Sharon Fox <sfox@tetoncountyidaho.gov>

Wendorff SUP

Gemma Wood <gemmabark@gmail.com>
To: pz@tetoncountyidaho.gov

Fri, Mar 1, 2024 at 3:18 PM

Hi, to Whom this may concern:

We support the Wendorff application for a SUP. We are completely in favor of the proposal and encourage approval for this honorable family.

We know them to be trustworthy to their word, their location and property is perfect for this type of use, and they have already taken the measures to minimize the impact of neighboring properties.

Please approve this.

Thanks,
Gemma Bark



Herbert J. Heimerl III

20 Cedron Rd, Suite 201 ▪ PO Box 499 ▪ Victor, ID 83455
Phone (208) 557-5220 ▪ Fax (208) 787-0334
herb@beardstclair.com

VIA EMAIL

February 26, 2024

Jade Krueger, Senior Planner
Teton County Planning Department
jkrueger@co.teton.id.us
150 Courthouse Drive
Driggs, Idaho 83422

Re: Wendorff special use permit BOCC hearing on March 12, 2024

Dear Jade,

I have been engaged by the Hiddenwaters HOA to represent them in their opposition to the above-referenced SUP application. You have been presented with numerous public comments in opposition to this permit, which comments provide detailed analysis of why this application fails to comply with the County’s Comprehensive Plan and it fails to comport with certain requirements of the County’s Land Development Code (“LDC”). I am not going to repeat the analysis of why the application fails to comply with the County’s Comprehensive Plan, but instead, I will focus on why, legally, this application must be denied for failure to comply with the County’s Land Development Code.

Wendorff’s application claims that the total project is 15 acres, but the site plan that accompanied the application only depicts a 4.68 acre parcel for the event center. The language at 3-6-13 of the County LDC states that “Minimum lot size for special event facilities shall be five (5) acres”. The term “Lot” is defined in Chapter 7 of the LDC as “A contiguous quantity of land which is defined by subdivision lot number...”. The Lot upon which the events center is proposed is Lot 4 of the Pine Ridge Ranch Subdivision, which is less than 5 acres. The 5 acre minimum is a strict requirement for any special events facility and it simply fails to meet this threshold. The LDC does not permit the aggregation of lots owned by an applicant, for good reason. If aggregation was permitted, anyone applying for a permit could enlist their neighbor to be co-applicants and aggregate the size needed to comply with the minimum lot size. Many

Attorneys licensed in									
Idaho	Colorado	Montana	Nevada	New York	North Dakota	Washington	Wyoming	Utah	
Jared W. Allen		John M. Avondet		Brian D. Batt		Michael W. Brown		Jeffrey D. Brunson	
Weston J. Burke		Gregory C. Calder		Patrick J. Davis		Dan C. Dümmer		Joseph D. Fairbank	
Jarin O. Hammer		Mark L. Garner		Herbert J. Heimerl III		Melissa O. Heimerl		Megan J. Hopfer	
Robert B. Knudsen		Lindsay M. Lofgran		Kristopher D. Meek		Lance J. Schuster		Derek D. Toone	
Natallia Dümmer		Thomas J. Holmes, of Counsel							

types of land permits have minimum lot sizes, so allowing aggregation would thwart the intent of much of the LDC. For this application to be compliant with the minimum lot size requirement, the applicant would have to make a lot line adjustment and a plat amendment, and then submit a new application for a special use permit on a lot that is at least 5 acres in size.

In addition to the lot size being non-compliant, I fail to see how this barn structure could be permitted as a habitable structure. This barn was built under the old Teton County LDC. The old Teton County Title 8 required that accessory dwelling units be a maximum size of 50% of the square footage of the primary residence and an absolute maximum of 1500 square feet. The application states that this building is 1700 square feet. I therefore believe that this existing structure would have been required to be an Accessory Building or an Agricultural Building, defined under 8-2-1-A of the old LDC, neither of which are permitted under the LDC to be used for “human habitation” or “use by the public”.

Even if we assume that the barn was compliant as a habitable structure under the old LDC (which it likely is not), under the new LDC, detached accessory dwelling units, which are the only type of accessory structures that allow for human habitation, are a maximum size of 1200 square feet on lots of less than 7.5 acres. The new LDC defines a *Nonconforming Structure* as “A structure built in accordance with County requirements at the time of its construction, but which fails to conform to the present requirements of the LDC.” So, best case scenario for the applicant, this barn would be a Nonconforming Structure. Section 1-8(B) of the LDC states that “Nonconforming uses or structures shall not be modified, changed, expanded, or replaced except in conformance with the present requirements of the LDC”. Clearly the Wendorff’s application contemplates a modification, change, or expansion of the barn.

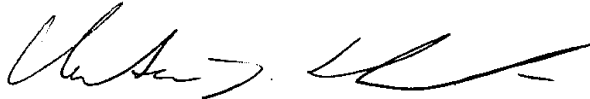
The LDC requires all parking to be onsite, but the site plan fails to depict any significant onsite parking. In fact, the pictures in the application depict a mass of vehicles completely congesting and obstructing the public street which this parcel is located on. In addition, the parking access and layout depicted on the site plan does not appear to conform with section 5-6-3(C) of the LDC.

The parcel is located immediately adjacent to the National Forest boundary. The Forest Service is on record as stating a concern regarding proximity to the National Forest boundary and ensuring a higher level of fire wise construction and layout due to the potential for wildfire influence from the National Forest. The Staff comment addressing this concern was “This barn is already constructed and vegetation management was encouraged”. I don’t see how the fact that the barn exists and vegetation management was encouraged even comes close to addressing such

a serious concern. When the barn was built, this intensity of use was not considered. In addition, this is the exact area which was nearly evacuated several years ago as a wildfire approached the area from the west.

It is for all of these reasons, but most notably the fact that the LDC simply does not permit approval of this application or the proposed use of the barn, that we respectfully request that the BOCC deny this application.

Sincerely,

A handwritten signature in black ink, appearing to read 'Herbert J. Heimerl III', written in a cursive style.

Herbert J. Heimerl III



Sharon Fox <sfox@tetoncountyidaho.gov>

Wendorff

1 message

Maria Johnston <mariajohnston5@me.com>

Fri, Mar 1, 2024 at 2:25 PM

To: pz@tetoncountyidaho.gov

As a former owner of two Hidden Waters lots, I am very familiar with that beautiful corner of Teton Valley. I am also very familiar with David and Kristen Wendorff and can unequivocally assure you of their honesty, integrity and deep desire that only good things come to the Victor area.

It is my understanding that they desire to provide a place where families and other groups can gather. What a great idea!! And one that has been much needed in the Valley for some time. I certainly encourage you to support their efforts! They have created a beautiful venue and have most definitely enhanced the properties in that area.

Most sincerely,

Maria Johnston

Sent from my iPad



Sharon Fox <sfox@tetoncountyidaho.gov>

Wendorff SUP

1 message

Joseph Keating <josephdkeating@gmail.com>
To: pz@tetoncountyidaho.gov

Thu, Feb 29, 2024 at 8:26 PM

Hello,

I am sending this message in support of the Wendorff SUP.

Due to the hosting and hospitality of the family and property, I have been able to enjoy time with my family in Teton County. We have enjoyed the hiking, biking and local food - and created a great experience for us.

Thank you,

Joe Keating
562-686-7520

Sent from my iPhone



Sharon Fox <sfox@tetoncountyidaho.gov>

Wendorff SUP

1 message

Cameron Lutz <clutz714@gmail.com>

Sat, Mar 2, 2024 at 10:02 AM

To: pz@tetoncountyidaho.gov

To whom it may concern,

I'm writing this note as a show of support for the Wendorff application for a SUP. As someone who has enjoyed the Wendorff property for quite some time now, the location is perfect for use as an events space...it's as secluded as you can get in the valley. I know the family to be extremely trustworthy to their word and have no doubt this will allow for an incredible space for the valley to gather.

I've enjoyed weeks at a time on this property and consider it one of the most special places I've ever spent time. The SUP would allow for more people to enjoy this one-of-a-kind space and spend quality time together. I am in complete favor of the proposal and highly encourage approval.

Sincerely,

Cameron Lutz

Feb. 29, 2024

Dear Commissioners,

I am writing in strong opposition to the SUP application for the Wendorff events center. I submitted a letter to the P&Z Commission dated 7/30/23 (which I understand should be included in your packet). In it, I argue that this application should be denied on a number of bases. Those still apply and I urge the County Commissioners to deny this application.

Though I believe that this application should be denied based upon incompliance with the code and clear incompatibility with the neighborhood as outlined in my 7/30/23 letter, there are some issues that arose during and after the P&Z hearing that I feel should be noted as well.

1. Legality of approving an SUP for the current owner alone

There are significant questions about the legality under state law of limiting an SUP to the current owner, rather than running with the land. So, we must assume *any SUP that is granted will be in perpetuity*, until and unless a strong finding is made to the contrary. Moreover, as we've seen with other conditioned permits in the area (Grand Targhee and MD Nursery are examples), one must assume there is a very good chance that the applicant or subsequent owners will return to the county in future years requesting an expansion of use, further cementing a significant commercial use in a residential zone and increasing impacts to the residential neighborhood. Approving this event center will most certainly be opening Pandora's Box on many levels.

2. Full review needed

The application should be reviewed as if barn structure wasn't already there. Some comments in P&Z hearing indicated that this may not have been the case. For instance, it appears that no traffic study was completed, which seems like a critical piece given the access via a one-lane road. The mere existence of a "barn" should not preclude the need for studies on impacts deriving from a major expansion of use, as is the case when turning a private barn-like structure into an events center.

3. Precedent

If this application is approved, would you be establishing a precedent that an event center is an appropriate use in an established neighborhood? Despite the LDC language saying that past approvals don't set precedents (Section 4-8.A.3), the county will likely have more difficulty denying future applications for events centers in similar locations, especially given the unmitigable impacts on the neighborhood in this case and this project's lack of compliance with code standards.

4. Condition overload

The P&Z recommended approval of the application with 12 conditions of approval. (Even so, there is one important condition missing—that addressing the substandard lot size.) At some point, there are so many conditions needed for approval that it becomes clear you're trying to fit a square peg in a round hole. We believe this project is just that, and should instead be denied.

5. A monitoring nightmare

This project has so many conditions that monitoring it for compliance will likely be a nightmare. Mentioning just a few, how does the County ensure there are no more than 10 small events and two large ones? How do you ensure they don't have more than the specified attendees? How do you ensure there are the required number of nonprofit events? How do you confirm that they adhere to the maximum decibel levels?

6. Reviewing only on the criteria specified in the LDC

During the P&Z hearing, some commissioners seem to have been persuaded by the notion that providing a benefit to the local nonprofit community could be an appropriate counterweight to the impacts of the project. As a result, they attached a condition of approval that 1/4 of the events be required to be nonprofit-related. However, the code is very clear as to the criteria that must be met for approval of an SUP. Approving an SUP that is deficient in meeting those criteria because it may provide a perceived public benefit is not allowed under the code, no matter how well-intentioned.

7. Emergency management plan

The P&Z Commission attached a condition requiring an emergency management plan prior to BOCC review. Has that been done?

8. Issues with the process

The erroneous compilation of the Oct. 10, 2023 minutes and subsequent P&Z approval of the inaccurate minutes resulted in you receiving a recommendation for approval of the events center without five conditions of approval that were imposed by the P&Z Commission. (I enumerate all the conditions for reference at the end of this letter, since I need to submit this letter before I see the staff report.) I urge the Commissioners to listen to the recording of the hearing to fully understand that a motion was originally made by P&Z Commissioner Rebecca Nolan (at 4:50:50) and then subsequently amended (at 4:56:15). Thus, all the conditions should be forwarded for your consideration. Missing conditions are as follows:

- a. One quarter of the events are to be "local nonprofit events."
- b. The events center will be reviewed at one year for renewal and to assess compatibility with the neighborhood.
- c. The SUP will not be transferable to new owners.
- d. Noise from the events center must be no more than 70 dB at the property line.
- e. There must be an emergency management plan submitted before consideration by the BOCC.
- f. Plus one recommendation vs. a condition of approval: The P&Z recommends the Wendorffs meet with the neighbors before BOCC review.

9. Other issues with the Conditions of Approval

- a. The substandard lot hasn't been formally addressed. One of the most basic requirements in the LDC is a minimum lot size of five acres. This hasn't formally been addressed in the P&Z recommendation (even the full recommendation as voted on at the hearing). The staff has suggested that there be condition of approval that, if the Wendorffs sell other lots so that only the main, 4.68-acre lot remains, the SUP become void. Instead, the lot size should be addressed before any SUP is issued.
- b. The 70 dB restriction puts the burden of policing noise on the neighbors. It can reasonably be assumed that most loud events will happen in evenings and on weekends—outside of normal business hours when it can be expected that a county compliance officer would be on duty. In addition, at which property line will the 70 dB be measured?
- c. The P&Z approved a condition that the SUP will not be transferable to new owners. Is that allowable by state law? Even if so, since an events center was previously allowed, any new owners would assume that a new SUP application would be approved. Indeed, it would be

hard to turn a new application down, despite language in the LDC that approvals don't set precedents.

The bottom line is that if you approve this application, you are opening the door to a greatly expanded use—a commercial use in a completely residential neighborhood, with high potential for significant neighborhood disruption and impact, and with significant public safety issues due to the one-lane access on 10000 South. There are no conditions that can fully mitigate the impacts. Would you want it in your neighborhood?

The new LDC clearly was drafted to allow event centers *where they are appropriate*. With the potential for significant and unmitigable neighborhood impacts, not to mention the very real possibility of future expansions of use, *this is not one of those areas*. We urge you to deny this application, upholding your new Land Development Code and setting an example of fair and reasonable application of the regulations.

Further, we ask that you deny this proposal with a vigorous finding that an event center is an inappropriate and incompatible use in this location. Otherwise, even with a denial, the applicants could repeatedly use the Temporary Use Permit process as a back-door method of operating an events center. With a strong finding of incompatibility, the planning administrator will hopefully have a solid foundation to deny any such temporary use applications. (We hope that this project will prompt the BOCC to reexamine the Temporary Use Permit process to eliminate potential abuses.)

Thank you for your consideration and for your hard work on behalf of our Valley.

Respectfully submitted,
Susan Lykes

ADDENDUM—FULL P&Z CONDITIONS OF APPROVAL

Conditions of approval specified by the P&Z:

1. No more than 10 events of 50 or fewer attendees, and no more than 2 events of more than 100 attendees [sic].
2. One quarter of the events are to be "local nonprofit events."
3. The events center will be reviewed at one year for renewal and to assess compatibility with the neighborhood.
4. The SUP will not be transferable to new owners.
5. Noise from the events center must be no more than 70 dB at the property line.
6. There must be an emergency management plan submitted before consideration by the BOCC.
7. The P&Z recommends the Wendorffs meet with the neighbors before BOCC review (this is not a condition of approval).

Conditions of approval from the staff report, included in the P&Z motion:

1. Maximum capacity of all events hosted shall be 150. 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 the 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).

Dear Commissioners,

My wife and I own properties in both Aspen Grove and Hidden Waters subdivisions, and I am writing in opposition to the SUP application for the Wendorff Events Center.

I attended the P&Z meeting for this application, heard the oral arguments, and have read the letters submitted in advance of that meeting. I concur with the numerous reasons cited by members of the public and neighborhood in opposition to this application. In addition, new information has come to light in the interim since then. My wife, Susan Lykes, enumerated a number of these in a letter that was submitted this morning. In addition, Herb Heimerl, an attorney representing Hidden Waters subdivision, also submitted a letter on behalf of the HOA that points to a number of legal obstacles to the approval of this application. Ample arguments have been made for denial based upon incompliance with the code and clear incompatibility with the neighborhood, and I won't reiterate all of this information here, but instead will add some thoughts and concerns of my own.

The applicant got a building permit for a barn, and this permit only required the applicant to meet the code requirements for a barn—a place to store tractors, etc. The code requirements for the approval of an event center would have been far more rigorous. Yet it is clear from the structure that the applicant built that they never intended for it to be used as a barn. They built an event center, and one can only infer that the applicant understood that the code would not allow this use. Rather, it appears their hope is to get what they always intended by coming through the back door of an SUP. They chose, as the saying goes, to ask for forgiveness instead of permission. To approve this would not only ignore the zoning and numerous unmet requirements in the code but also encourage others to behave similarly to get around the intent and spirit of the code.

The P&Z added a litany of conditions before recommending approval. This in and of itself is an indication that the use is not appropriate for the location. It is also a recipe for disaster. Take, for example, the condition to limit the number of events per year. However well intended, the language is far from adequate. The applicant may take the position that a week-long retreat is an event, so 10 events just became 70 days. The county doesn't have (nor do I suggest it should have) the resources to parse all of this language at this level of detail or to enforce it if they did. The level of complication and concern speaks clearly to the inappropriateness of the application. In addition, compliance is a real concern and the expectation that the neighbors should or could monitor compliance is unreasonable.

The stated intent of the applicant is not relevant to the approval process. Rather than intent, the commissioners must consider what is possible. As a for profit enterprise, assuming anything less would be unrealistic. The Wendorffs own three of the four lots in the subdivision. They could build large homes, similar to the existing one with bunk rooms that accommodate a large number of people, on the other two lots. All three homes could be operated as AirB&Bs providing lodging for the center's events. Each lot could have out-buildings that supply additional amenities to the event participants. It takes very little imagination to foresee a much

bigger enterprise than what has been discussed with a much bigger impact on the neighborhood.

Finally, I would like to ask the commissioners to deny the application with language that is explicit to the inappropriate and incompatible nature for this type of activity in this location. This would prevent the applicants from repeatedly getting TUPs to achieve the same ends. In addition, it would hopefully give some guidance and bolster the planning staff and P&Z to recommend denial for applications this far from the goal posts of the code. Approval of this application would be a de facto change in the zoning for the commercial and monetary benefit of one owner at the expense of the entire neighborhood. The implication would be that this could be repeated for a variety of non-conforming requests throughout the county. This leads to unwanted and unnecessary uncertainty. The valley's current and potential property owners deserve to be able to have reasonable expectations about the future of their neighborhoods based on the county zoning and codes. In addition, I would argue that they should not have to spend this much time and money, as our neighborhood has, to repeatedly defend these expectations against applications for projects that are this far outside of the goal posts. These should be recommended for denial by staff and P&Z. Yes, owners need to be vigilant, but the current level required is excessive.

Thank you for your consideration.

Respectfully,
Mayo Lykes



Sharon Fox <sfox@tetoncountyidaho.gov>

Wendorff SUP

debra mckenzie <mckdebra@gmail.com>

Thu, Feb 29, 2024 at 5:00 PM

To: "pz@tetoncountyidaho.gov" <pz@tetoncountyidaho.gov>

We are writing to support the Wendorff application for an SUP. Our growing valley needs a lovely, out of the city secluded space that the Wendorffs have provided. Not only is it isolated, it is a beautiful setting which highlights to very best Teton Valley has to offer. They have provided a back road access that will have a minimal impact on county residents. They have been diligent in trying to accommodate residents that live in surrounding areas, listening to their concerns and fears, and trying to meet them half way.

The Wendorffs have an excellent reputation in our community, Jackson, and other areas as well. Everything they do is with excellence and integrity. We are very fortunate they have selected this area to provided a much needed gathering place that is beautiful and elegant.

I guess the bottom line is, it doesn't matter where an event center is located, there will always be those that find fault and are contrary. That is until they are looking for a facility for their event!

I hope each of you that will be deciding the fate of Wendorffs application have been on property to see for yourselves what a lovely addition to our community this really is!

Thank you for your concideration.

David and Debra McKenzie



Sharon Fox <sfox@tetoncountyidaho.gov>

Letter - Wendorff SUP Application

1 message

Nate W <natewendorff@gmail.com>
To: pz@tetoncountyidaho.gov

Thu, Feb 29, 2024 at 5:07 PM

Hello,

I am writing to voice my opinion about the proposed special use permit for the Wendorff's. I strongly support the application and believe it should be approved. The new county designation obviously points to a need, and I believe this to be a great site and the best stewards of the site to receive this approval. I have witnessed the incredible amount of time and effort the Wendorff's have spent working to keep impact as minimal as possible. Above all, I know the Wendorff's to be honest, kind, and hold themselves to a standard of trustworthiness and decency that I wish more people had. They have poured their hearts and souls into this property and this valley and in my opinion are an obvious choice to receive approval for the SUP.

Respectfully,
Nathan Wendorff

To Board of Teton County Commissioners:

I am STRONGLY opposed to the approval of an SUP that will allow the “barn” on the Wendorff property to be used as a commercial Event Center. The large parties and meetings that will be held on the property will be incompatible with the two nearby residential sub-divisions, Aspen Grove and Hiddenwaters and will be a potential danger to its residents and the community beyond.

THE NEIGHBORS:

Aspen Grove is largely built out. Hiddenwaters following the 2008 Recession remained dormant until about 2019. The 52 vacant lots probably misled the Wendorffs into thinking the Event Center would not cause a large conflict. However, the sub-division is now undergoing great growth. All lots are now privately owned. Forty lots are in very close proximity to the Wendorff property. Ten houses are completed or near completion. Two additional projects are under review by the HOA Design Committee. In both subdivisions well over half of the homes contain year-round occupants. Three of the homes contain children under 8 years old with bedtime around 7 PM. Household pets abound.

Neighbors are concerned about several things. Noise: people who have been drinking linger even IF the band music stops at 10 PM. Celebratory laughter, talking, young people dancing into the night with radio or recorded music will probably continue. This is what makes weddings fun. Overall, it will be difficult or impossible for the County or residents to monitor the number of events, permitted level of sound and 10:00 PM sound curfews. Wildlife: relative crowds in the area will disturb wildlife patterns and sightings that are treasured by neighbors. Threats of fires and accidents potentially increase.



THE ROADS: 10,000 South
Hiddenwaters Lane, and Little Pine Lane

There are two separate but related issues: the primitive nature of 10,000 South, and the fear that event goes will cut off part of their trip from using most of 10,000 South by taking the paved road in Hiddenwaters or the better maintained road in Aspen Grove. As all three Commissioners know, 10,000 South is at times a picturesque area that provides pleasant walking, but it was never meant for extensive traffic and emergency vehicles. I have talked with

drivers and in particular contractors about using 10,000 South more instead of our road, Hiddenwaters Lane. Of course they mention the dust, mud and potholes on 10,000 South, but also the overgrown vegetation that scratches their vehicles. Drivers of taller trucks even express worry that overhead branches will knock off the top of their truck!!! One hundred percent of the trucks supplying heavy building materials to build the “barn” and the many trucks that removed dirt on the Wendorff property to create their artificial pond traveled down Hiddenwaters Lane, as did the big trucks that serviced food and equipment for their large birthday party. In spite of the best efforts of the Wendorffs to reroute traffic from Hiddenwaters Lane and the parallel road Little Pine Lane, it is a losing battle. Our residential roads are too tempting and a better ride to get to 10,000 South that reduces the difficulty to drive to the Event. Inebriated drivers and fast drivers potentially driving through the neighborhoods could cause serious damage to people, children, pets and property.

EVENT MANAGEMENT:

Through observation, the Wendorffs leave their home in California and spend about three months here, one month around Christmas and a couple of months in the summer or fall. This would call for an off-site manager to arrange for the events. Since there is no daily ongoing office with a reason to be at the site between events there would be no oversight of problems. Such as, after an event two winters ago a bank of about 30 outdoor lights were left on. The amount of light they produced completely eliminated local night light from the sky. Since no one was around the Wendorff’s property this went on for weeks. The neighbors did not know who to contact. The Wendorffs are difficult to contact and at times completely unavailable. It places the neighboring residents into the unwelcomed position to be the backup managers that will need to find someone to address problems.

LARGER CONCERNS AND SPECULATIONS:

The Wendorffs plan to advertise their facility. This will increase the number of events and people who will know about the largely empty home and “barn” in between events. This negligence could be injurious to the neighbors welfare and safety. Crime could increase in the area.

Visitors to the event may not be as sensitive to the fragility of the environment. A discarded cigarette, dragging chain along Hiddenwaters Lane, etc. could start a tragic fire.

There is a concern, given the number of lots that the Wendorffs own near the “barn,” that this is a first step towards a larger project possibly including cabins, additional meeting spaces, etc.

FINALLY:

The Planning and Zoning Commissioners at the last review of the Event Center largely agreed that the facility was incompatible with the neighborhoods. It was thought by the participants that the recommendation would go against the Event Center SUP. However, at the last minute

someone on the board suggested that if the Wendorffs were required to have several nonprofit events a year it would in their mind mitigate the inappropriateness of the facility. Several members of the Board became enamored with the idea. In other words, somehow turn a problem into a greater good. It is my understanding that any property owner could have a nonprofit event by applying for a TUP. But, a commercial facility such as the Wendorff's could charge a reduced overhead for such events. For the neighbors, multiple nonprofit or profit events present the same problems.

Sincerely yours,

Patricia O'Leary
A Hiddenwaters Resident

Teton County Planning and Zoning Commission

RE: Wendorff Event Center

February 29, 2024

Dear County Commissioners,

We are writing in opposition to the permitting of the proposed Wendorff Event Center. As property owners and residents of Aspen Grove – 9690 Little Pine Lane – we concur with the position of the Aspen Grove Homeowners Association.

Of particular concern to us are the issues of road use and future changes to the SUP conditions. The idea that conditions of a county SUP will prevent future landowners from operating a previously existing event center seems ripe for future litigation. Any new owner wishing to continue as an Event Center will simply submit a new application and things are back to where we are today – with the added onus on the homeowners' side that the Event Center had been previously approved.

The other issue we raise is the road condition of the one-lane 10000 South. Unless the county is prepared to up-grade and widen it, the road remains a single lane, deeply rutted, rough farm road. Also, there is a steep rise in the road just east of the Wendorff's property. That short section of 10000 South is nearly impassable when it is muddy or snow covered.

Finally, regardless of the proposed signage, folks familiar with this area may very likely avoid 10000 South and enter from Hwy 31, turning onto Little Pine Lane. From there the route to the Event Center would be through the residential streets of Aspen Grove or Hidden Waters.

We do not believe that a commercial project of this scale is appropriate in this quiet tucked-away residential enclave.

Thank you for your consideration.

Respectfully,

Bruce Perlman and Susan Haller - 9690 Little Pine Lane Victor, ID 83455

bruceperlman@gmail.com – susanjhaller@gmail.com



Sharon Fox <sfox@tetoncountyidaho.gov>

Wendorff Application for SUP

2 messages

Pamela Poduska <pampoduska4@gmail.com>

Fri, Mar 1, 2024 at 4:41 PM

To: Dick Poduska <rpoduska3@gmail.com>, "pz@co.teton.id.us" <pz@co.teton.id.us>

Dick and Pam Poduska here, property owners of lot 53 in Hiddenwaters.

We have been attentive to the Teton County Planning Department process regarding SUPS, and more recently the Wendorff's application. I attended the P&Z meeting, and we have participated by Zoom in Hiddenwaters HOA meetings to stay informed and engaged in the process.

We were nothing short of amazed when we initially learned about the Wendorff's application, and frankly, were stunned when the Planning and Zoning Committee approved it.

From the time we purchased Lot 53 in Hiddenwaters we understood that the name, Hiddenwaters, carried significance. Not only was there a hidden water source, there was an element of serenity, of being tucked away in natural surroundings, which the property and home owners were drawn to. The developer had created a pleasing layout of roads with one main road connecting to route 31, and county road 10,000 to the south, a one lane, unpaved road in questionable condition.

It is with these very elements in mind that we wish to maintain the totally uncommercial nature of this location. We feel that in denying this application the County supports its adherence to the master plan which values residential density close to town centers where event facilities like the former Bill Boney's were centrally located and in an area zoned for commercial use.

The existing 10,000 South would require the County to improve road quality to allow for safe passage of passenger vehicles and county emergency services. All of this would come at a cost to the County.

Thank you for your attention to our thoughts and what we hope will be useful considerations in your evaluation.

Most sincerely,
Pam and Dick Poduska

Clark, Tom <Tom.Clark@ucdenver.edu>

Fri, Mar 1, 2024 at 4:50 PM

To: "pz@co.teton.id.us" <pz@co.teton.id.us>

Sent from my iPhone

Begin forwarded message:

From: Pamela Poduska <pampoduska4@gmail.com>
Date: March 1, 2024 at 4:44:45 PM MST
To: "Clark, Tom" <Tom.Clark@ucdenver.edu>
Subject: Fwd: Wendorff Application for SUP

[External Email - Use Caution]

It looks as though my forwarded letter may have reached you. 🙌
Pam

BARBARA A. PRICE
45 TARGHEE TRAIL
VICTOR, ID 83455
COOLVALLEYMEDIA@GMAIL.COM / 760-715-7803

March 1, 2024

Teton County Planning Department

RE: Wendorff Special Use Permit agenda item for the March 11, 2024 meeting

Board of County Commissioners:

As property owners in the Hiddenwaters Subdivision adjacent to the Wendorff property under consideration for a SUP to hold public events, my husband, Kenneth Price, and I are not in favor of the SUP being approved for a myriad of reasons. The most compelling of which have already been articulated at the prior meeting by many Hiddenwaters residents, and more recently in correspondence from Mr. Clark, Mr. Cisco, Mr. Sweeterman, and attorney Herbert J. Heimerl III. I will not attempt to reiterate those serious concerns and legality matters.

However, I will add the following concerns which are of a more general and pragmatic nature, but no less worrisome to most of the Hiddenwaters and Aspen Grove residents.

- There appears to be a relative lack of definition and specificity within the SUP application as to proposed usage, not to mention future usage should the property change hands.
- Several environmental concerns have been raised by adjacent residents, as well as local groups. These include fire concerns; wildlife overlay issues; parking and traffic flow and others.
- The SUP as is currently under consideration will allow large, disruptive events which will negatively affect the quality of life, and property values, for the nearby neighbors and adjacent communities. This is a rural, residential focused area and residents highly value the area for those qualities.

I ask you to take all the opposition comments and concerns under serious consideration before making a decision which will have a lasting impact on this lovely valley and the residents who so value the lifestyle.

Thank you,
Barbara A. Price

March 1, 2024

Board of County Commissioners
150 Courthouse Drive
Driggs, ID 83422

Subject: Wendorff Special Use Permit Application

We are writing in opposition to the Special Use Permit Application by David and Kristen Wendorff for their property at 9885 Pine Ridge Ranch Road Victor, ID.

We are opposed to this SUP for several reasons, many of which I am sure are also being addressed by neighbors of ours and our surrounding community. Some of which include:

1. A commercial business of this type directly adjacent to a neighborhood community of families, community employees, and retirees is unacceptable. We all moved here to enjoy the beauty and serenity of our surrounding valley. A commercial business of any type is in direct competition with the serenity we've all invested in when choosing to move to Hiddenwaters.
2. The number of events requested under this SUP was as many as 15 events with up to 150 people in attendance. So, if this SUP were granted, it is not unreasonable to assume those 15 events would be scheduled during our precious summer weekends. Therefore, I and my neighbors can count on every weekend from Mid-June through Mid-September to be disrupted by these outdoor events with hours of incoming traffic, noise, light pollution, and then outgoing traffic. Every weekend. Clearly this is in opposition to the serenity we so cherish.
3. Access via Hiddenwaters and Aspen Grove: If this SUP were granted, our Hiddenwaters association would have no choice other than to install gates to prevent any unwanted traffic traveling through our neighborhood. This added expense to Hiddenwaters homeowners would only be needed should this SUP be granted. Additionally, the elimination of access through the Hiddenwaters neighborhood places an unfair burden to our Aspen Grove neighbors and friends.
4. Access via 10000 South. The quality & condition of 10000 South is not passible during winter, spring mud season, nor during a heavy rain event. If this SUP is granted, Teton County would be obligated to improve 10000 S. for access by emergency fire and rescue vehicles and place a very significant tax burden on our Teton County residents for the sole benefit of a single entity.
5. And finally, granting this SUP will certainly result in lowering our property values. Hiddenwaters has 41 lots alone, not to mention Aspen Grove and the surrounding family properties. The certainty that this commercial business would lower the property values of our homes and community is unacceptable. Of course, the lowering of our property values will consequently lower the property taxes the county could otherwise expect.

It seems to us irresponsible and quite frankly inconsiderate should the BoCC approve this SUP. So, in addition to our points above and along with the long list of other reasons you will receive from our neighbors, we oppose this SUP application.

Yours Sincerely,

John & Megan Sweeterman
9760 Hiddenwaters Lane
Victor, ID 83455



Sharon Fox <sfox@tetoncountyidaho.gov>

Wendorff Event Center

1 message

Vicki Varnum <vickivarnum@gmail.com>

Fri, Mar 1, 2024 at 4:54 PM

To: pz@co.teton.id.us

As residents of Aspen Grove subdivision, we are in strong opposition to the event center being proposed on 10,000 south. The property is directly in our view. The traffic, noise and 150 people ++ during their proposed 50 events a year is absolutely appalling.

Please deny permitting of this project!

Carl Godtland

Vicki Varnum

[9809 Little Pine Lane](#)

[Victor, ID](#)



Sharon Fox <sfox@tetoncountyidaho.gov>

Special Use Permit—Wendorff Hearing Board of County Commissioners

1 message

Kim Vletas <Kim.Vletas@protravelinc.com>
To: "PZ@co.teton.id.us" <PZ@co.teton.id.us>

Fri, Mar 1, 2024 at 4:53 PM

Hello Commissioners,

This letter is in reference to the application for a Special Use Permit submitted by David and Kristen Wendorff, in advance of the hearing for their application.

My husband and I are full-time, year-round residents in the Hiddenwaters subdivision (Lots 17/18), located in the adjacent subdivision to the Wendorff's property. We are strongly opposed to this facility being approved for a Special Use Permit for many reasons. I will highlight the primary issues below.

Conducting a for-profit business in a residential neighborhood

We strongly believe a commercial business of this nature is not suitable with the adjacent neighborhood of Hiddenwaters/Aspen Grove. Also, granting permission for this permit will set a dangerous precedent for others to do the same in their rural neighborhoods.

Increased Traffic will have detrimental effects to the access roads

The only legal access to their property is via 10,000 South and Little Pine Lane. Neither of these roads were built to sustain the type of added traffic that would occur as a result of this events facility. Also, 10,000 South isn't maintained in the winter, so all traffic would have to be funneled via Little Pine Lane. The added traffic on this roadway will pose significant logistical and safety problems. 10,000 South isn't currently suitable for the additional traffic we'll see before, during and after the events. Furthermore, it would be unfair for taxpayers to pay for the maintenance and improvements required which would be for the sole benefit of one landowner running a commercial business on their property.

Fire Hazard

The Wendorff property sits adjacent to national forest land and could pose a significant threat of fire which could be a disaster for everyone living, traveling and recreating in this fragile area. Also, how will a Fire truck or EMS vehicle access the buildings if needed, with the number of vehicles that would be expected at a large event?

Size of property required for SUP

The Wendorff property where the proposed events building is located doesn't meet the minimum requirement of 5 acres for a SUP (their lot is only 4.68 acres). Furthermore, event parking would need to be on the same property as the event (as opposed to adjacent lots). There plainly isn't space for that many cars on the proposed site, and all the cars would be in full view of the adjacent lots in Hiddenwaters.

Noise and Visual Impact

Who will be responsible for monitoring and enforcing the noise level? Also, sound will carry not only to their nearby neighbors, but also straight down valley, and up into the adjacent forest land to their south. Also, who will be responsible for monitoring and enforcing the county's dark sky ordinance during and after their events? The hilltop location of this facility, which overlooks dozens of houses in the immediate area but can be seen by hundreds of homes in the southern part of the valley will lead to constant noise and visual disturbances for people near and far.

Water and Sewer Effects

Hiddenwaters Subdivision has 2 community wells and a pump house for our 52 lots, which are located immediately below their proposed special events facility. Their site plan shows well sites near this barn, which is either currently drawing from or in the future will draw from the same aquifer. The potential long-term impact to the aquifer is deeply concerning.

IN CONCLUSION

I unequivocally believe that an event center of this scope has no place in this neighborhood or in this peaceful rural setting. The proposed plan will inflict significant and permanent damage to this tranquil corner of Teton Valley.

Therefore, I urge the Commission to deny this application in its entirety. Thank you for your serious consideration of these matters, as well as the concerns of so many residents of Hiddenwaters and Aspen Grove.

Best,

Kim Vletas

Victor, ID

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Sharon Fox <sfox@tetoncountyidaho.gov>

Wendorff SUP

1 message

Todd Wendorff <tfwendorff@gmail.com>
To: pz@tetoncountyidaho.gov
Cc: David Wendorff <dwendorff@mac.com>

Mon, Mar 4, 2024 at 6:07 PM

To whom it may concern,

We have a home in southern skies. We can actually see Dave and Kristen's home from our backyard. We are in full support of them using their barn for social events or anyway they deem a contribution to gatherings in the valley. I believe it's a great idea to bring people together and to enjoy community. They are very responsible people and will manage this well, be respectful of others, neighbors, and hold their guests to the highest level of integrity.

Kindest,

Theodore and Denise Wendorff
Sent from my iPhone



Sharon Fox <sfox@tetoncountyidaho.gov>

Wendorff SUP

1 message

william wood <wjwood1234@gmail.com>
To: pz@tetoncountyidaho.gov

Fri, Mar 1, 2024 at 3:15 PM

To Whom It May Concern:

We support the Wendorff application for a SUP. They are trustworthy honorable people and we completely trust them.

We have enjoyed their beautiful property and they are the most generous people who have already taken the necessary measures to minimize noise and impact to neighbors.

We are in favor of the proposal.

Thanks,
Jon Wood



Sharon Fox <sfox@tetoncountyidaho.gov>

Concerning Wendorff SUP application

1 message

Mark Woodruff <mwoodruff1536@gmail.com>

Fri, Mar 1, 2024 at 10:01 AM

To: pz@tetoncountyidaho.gov

Cc: Lyn Woodruff <law9915@gmail.com>

My wife and I own property at 2151 Tomahawk Trail. We are writing to let you know that we know the Wendorff family and believe them to be trustworthy and of good character. We believe that they would honor the letter and spirit of any SUP and all conditions that are granted.

Best regards,
Mark and Lyn Woodruff

Sent from my iPad

To: Teton County Board of County Commissioners
From: Michael Zolkewitz and Michelle Kramer
Re: Special Use Permit—Wendorff Hearing February 29, 2024

Dear Commissioners:

We are writing to express our opposition to the application for a Special Use Permit submitted by David and Kristen Wendorff, regarding their property at 9885 Pine Ridge Ranch Road (Parcel# RP000600000040).

In addition to our statement dated July 27, 2023, to the Teton County P&Z where we argued that the special use does not meet the criteria for approval as described in the Land Development Code (LDC), we also assert that the proposed special event facility is not aligned with Teton County’s Comprehensive Plan (2012-2030).

Under Idaho Code 67-6502, Teton County has an obligation to regulate land use to promote the health, safety and general welfare of the public. As you deliberate on whether this special use does indeed “promote the health, safety and general welfare of the public”, we ask that you consider the following Comprehensive Plan Goals/Objectives in your assessment:

- 1) **Section 5-4:** Desired future character and land uses for the Rural Agriculture areas include:
 - Agriculture
 - Ranching
 - Low density residential, with provisions for clustering/conservation developments to protect natural resources or rural character
 - Conservation and wildlife habitat enhancement/protection

An event center doesn’t appear as a desirable character of the RA-35 Zone in the Comprehensive Plan.

- 2) **Section 5-7:** The Comprehensive Framework Map is the “physical embodiment of our Vision” and includes a list of amenities that will maintain and enhance recreational opportunities, enhance the quality of life in Teton Valley, and “are very important for economic development”.

*Note that event centers are **not listed in the Comprehensive Plan Framework** as amenities that enhance recreational opportunities and enhance the quality of life in Teton Valley.*

- 3) **Goal NROR 5:** “Recognize, respect and/or mitigate natural hazards, including but not limited to flooding, earthquakes, landslides, radon and **fires**”. Policy 5.2 goes on to state “Hazardous areas that present danger to life and property from flood, forest fire, steep slopes, erosion, unstable soil, subsidence or other hazards will be delineated, and development in such areas will be carefully controlled or prohibited by a rigorous building code and permitting process.”

The Wendorff property is located on the front lines of the Wildland-Urban Interface. The WUI is the zone of transition between unoccupied land and human development. It is the line, area, or zone where structures and other human development meet or intermingle with undeveloped wildland or vegetative fuels. Between 2002 and 2016, an average of over 3,000 structures per year were lost to WUI fires in the United States. (Sources: National Association of State Foresters, U.S. Department of Homeland Security and National Institute of Standards and Technology). According to the Teton County, Idaho Multi-Jurisdiction All Hazard Mitigation Plan (2016), the intent of a WUI boundary is to “define an area within or adjacent to private and public property where **mitigation actions should occur to prevent damage and loss**” (NWCG Memorandum # 024-2010).

Furthermore, the proposed location for the event center is located within 350 feet of a Foothills Zone District (FH-10), which is “intended to ensure development is in harmony with the mountainous settings that are a higher risk to wildfires and notable for wildlife values” (Teton County Land Development Code, 2022). The proposed venue location also lies within the Wildfire Hazard Overlay (WHO); referred to in section 5-4-3 of the Teton County Land Development Code as areas requiring special land management considerations.

Therefore, this application would not serve to help mitigate a wildfire hazard and has the potential to place an undue burden on existing public services and facilities in the vicinity, contradicting Teton County Hazard Mitigation strategies.

Finally, we ask the Board of County Commissioners to again review the lawfulness of using multiple parcels to accommodate the requirement criteria of a special use that is restricted to only one of those parcels. On its own, Parcel# RP000600000040 (where this proposed event center and parking will occur) does not meet the minimum acreage requirement. **According to Idaho Code 67-6512, “A special use permit is not transferable from one (1) parcel of land to another”.**

Given that the special use permit application is not aligned with Teton County’s Comprehensive Plan (2012-2030), conflicts with wildfire mitigation strategies, and fails to meet the criteria required for an SUP as stated in the Land Development Code, we request the Teton County Board of Commissioners reject this application for a special use permit at 9885 Pine Ridge Ranch Road (Parcel# P000600000040).

Respectfully submitted,

Michael Zolkewitz, PhD

Michelle Kramer, MD, MPH

663 Peak View Estates Rd.

Victor, ID 83455

Memo

To: Teton County Planning and Zoning Commission
From: Thomas Clark, Ph.D.
Re: Special Use Permit—Wendorff Hearing

Date: July 27, 2023

I write in reference to the application for a Special Use Permit submitted by David and Kristen Wendorff, anticipating the hearing on their application set for August 8, 2023 (See Addendum, item 1) . I am unalterably opposed to any such facility being established adjoining the Hiddenwaters Subdivision on whose Board I sit as both Vice President and Treasurer. I am a full-time, year-round resident of this subdivision. The observations I provide here are my own as I have not yet officially polled our members numbering close to 40 lot owners. At the same time I write with experience that can only bolster the credibility of these observations as I served as Chairperson of the Department of Urban and Regional Planning at the University of Colorado Denver/Boulder for a period and now serve on the editorial board of the international journal called Sustainability. My career spans a half-century.

The submission submitted by the Wendorff's comes quite late in the development process. Why would anyone wait until after a facility has been constructed to seek official County permission to use it? Yet this is what the Wendorff's have done. They say they've lived here in the Valley for 15 years, about as long as I have, though in Hiddenwaters only for two years. One would suppose this would have been sufficient time to schedule essential approvals yet they did not. And now, presumptuously, they present us with a fait accompli and act as if we'd hardly notice their traffic rumbling down our roads, their needlessly illuminating the night sky for weeks on end when someone forgets to turn out the string of lights adorning their faux barn, or the noise from their parties.

They humbly assert they really care about our beautiful landscape in Hiddenwaters and on adjoining lands to the east and west (Addendum Items 2 and 3). And they will do everything to appease our concerns. But what they offer is just unattainable hence unacceptable. They say, for example, that they'll direct their visitors—perhaps 150 patrons at a time they say—away from our private roads in Hiddenwaters. But that party for Mr. Wendorff's birthday only demonstrated the hollowness of their offer. Mrs. Wendorf or someone hired by the family did indeed come by distributing a flyer indicating the party, a first, would be happening soon. Traffic would be diverted away from Hiddenwaters. Visitors and service vehicles would be told to use County Road 10,000. But most didn't get the message and all evening and the prior day our traffic counts mushroomed. We'll change Google Maps they say, but of course there are numerous GPS companies and to erase Hiddenwaters land from the maps of all would be almost impossible. And why, by the way should we wish our roads suddenly to disappear from the navigation screens of friends wishing to visit us.

Consider the essential aspects of the Special Use Permit the Wendorff's seek. Their property is zoned RA-35 "Rural". But of course it sits right next to and above the Hiddenwaters subdivision which was staked out long ago but has only recently begun to undergo rapid development. The "Event Facility"

the Wendorff's seek to operate a business, despite all the verbiage in their narrative—a money-making venture that monetizes the beautiful surrounding landscapes that include the expansive grounds of Hiddenwaters. Nowhere is any such Special Events Facility to be located as a mere matter of right. If it were it'd be assigned a "P" for permission granted, in the County LDC. Such facilities, by the way, are expected to meet numerous criteria (Addendum Item 5). Read them below! I, however, will address just a few impacts on Hiddenwaters that the applicants never bother to address. Here goes! Yes, the Wendorff's have already achieved a spotty record in avoiding the use of our private roads. There was indeed that initiatory party. But there's been more. When they constructed the pond adjacent the "barn" trucks rumbled frequently down Hiddenwaters Lane. At the time there were few homes and few were inclined to resist. But we've just spent several thousand repairing our cracked roads. We can't attribute all the damage to those trucks, but they certainly didn't help. The Wendorff's moreover are apparently inclined both to keep their traffic off our roads, and to perhaps help us to maintain those roads. But that's not sufficient. Our roads are already burdened by necessary construction traffic. We intend to limit traffic otherwise as our entrance signs indicate.

But traffic isn't all that concerns us. Yes traffic means visual encroachment, noise, dust, danger for walkers and more. But there's more. Consider the water needs of this proposed Event Facility. Hiddenwater's own pump house and two community wells for 52 lots are located immediately below this so-called events facility. Their map shows well sites near the "barn", drawing from the same aquifer as our two wells. Why was this encroachment not noted in the application? In a similar vein there are other neglected impacts to be brought out into the open. Fire hazard, snow removal, violation of dark sky provisions, and disruption of the quiet all residents of Hiddenwaters seem to seek. There are no assurances that can be plausibly offered, that these 130-150 visitors won't on repeated occasions cause fires on dry landscapes, the result s of a tossed cigarette, the dragging of a truck chain on a gravel road, and more. And there's one more concern: septic. How can we possibly tolerate the placement of septic systems sufficient to accommodate the wastes of large crowds, immediately to the east of our two community wells? We absolutely cannot.

In sum, this proposal for a Special Use Permit (SUP) for a Special Event Facility adjoining Hiddenwaters is absolutely unacceptable. There is no negotiable accommodation that can alter this condition. This proposal must be rejected outright.

ADDENDUM

ITEM 1:

6:00 PM PUBLIC HEARING: Special Use Permit – Wendorff Hearing: David and Kristen Wendorff have applied for SUP for corporate meetings, creative retreats, spiritual retreats, and other events in their existing 1700 square foot barn for up to 150 guests. The property is 4.68 acres and is located at 9885 Pine Ridge Ranch Rd in Victor.

Legal Description: RP000600000040; LOT 4 PINE RIDGE RANCH ADDENDUM PLAT SEC 17 T3N R45E

ITEM 2:

“With our newly constructed 1700 square foot barn, it is our hope to provide a curated experience for corporate meetings, creative retreats, spiritual retreats and other events. Our kick-off, a personal birthday party proved this is a property which easily accommodates a large group. The existing roads in the subdivision easily accommodated parking for our 130-150 guests with room to spare.”

ITEM 3:

“We are attentive to our neighbors and are aware that Hidden Waters subdivision has concerns regarding any non-residents using their road. We are willing to require event holders to direct guest traffic via county roads by including specific directions on their invitation. Should adjacent neighbors wish to be contacted prior to an event, we are most willing to do so via email and we can install directional signage prior to events to direct guests via preferred routes. In addition, we have contacted Google Maps to designate Hidden Waters as a private road in hopes that a GPS will direct people via an alternate route.

It is our deepest desire to be a benefit to this extraordinary valley. As we request this special use permit, we do so with respect and with a heart and desire to cherish the peace, openness and beauty of this wild mountain home.”

ITEM 4.

C. Special Use (S) Indicates a use that may be allowed in the respective district only after recommendation by the PZC and approval by the BoCC as set forth in Chapter 4. Special uses are subject to all other applicable requirements of the LDC, including any applicable use standards, except where the use standards are expressly modified as part of the approval process.

ITEM 5.COUNTY LAND USE CODE

3-6-13 Special Event Facility

A. Defined A facility used by groups of people to congregate temporarily for such purposes as education, meditation, spiritual renewal, meetings, conferences, social gatherings, seminars, or weddings and which may provide meals, services, and recreation for participants during the period of the retreat or program only. Such centers may not be utilized by the general public for meals or overnight accommodations. Chapter 3 – Use Provisions 3-38 .

B. Special use standards

1. Minimum lot size for special event facilities shall be five (5) acres
2. All vehicular parking shall be provided entirely on-site in compliance with Section 5-6-3(F).
3. All surface parking areas must be landscaped in accordance with Chapter 5, Section 6, Driveways, Parking, and Access.
4. Hours of operation shall be limited to the hours of 8:00 am to 10:00 pm daily
5. All lighting and illumination of outdoor facilities shall be turned off no later than 10:00 pm.
6. The applicant will need to provide verification of wastewater treatment system based on Teton County's Septic Capacity Evaluation form. Applicant is responsible for any fees associated with reviews.
7. A Type A Buffer per Chapter 5, Section 7 must be established along all lot lines abutting a ground floor residential use.
8. Approval for food service must be reviewed and approved by the Teton County Fire Marshal.
9. The applicant will need provide verification of a food license or a proved exemption from EIPH.
10. The special event facility shall comply with all requirements of the local fire district, the state health department, and other public agencies exercising jurisdiction over the establishment or operation.
11. The Fire District, Public Health District, and Teton County Planning Department shall be permitted to perform inspections as in any other business.
12. A permanent structure on a foundation shall be required for all special event Facilities to house restrooms, food preparation, and sanitation facilities at a minimum.
13. A commercial kitchen facility requires additional review and approval from EIPH. Applicant is responsible for any fees associated with reviews.
14. There shall be no overnight lodging at any special event Facility.
15. Special events which meet the descriptions of Section 3-10-2 require a Temporary Use permit.



Sharon Fox <sfox@co.teton.id.us>

Special Use Permit - Wendorff Hearing on August 8

1 message

Tony Arneson <Tony.Arneseon@mccclone.com>
To: "pz@co.teton.id.us" <pz@co.teton.id.us>
Cc: Sue Arneson <susankarneseon@gmail.com>

Mon, Jul 31, 2023 at 12:59 PM

To Teton County P&Z Commission:

We are the owners of Lot 33 of the Hidden Waters Subdivision and are adamantly in opposition to the proposed special use permit being applied for by David and Kristen Wendorff. The Wendorff property sits high up on the hill just above our property to the south and west and is clearly visible from our parcel and that of about two dozen other property owners on Old Post Lane and Coneflower Circle. The Wendorff's barn looks directly down on our property and this section of Hidden Waters.

We purchased our lot in 2022 because of the beauty and tranquility of the valley that Victor calls home. We intend to build on our lot and to make Victor ID and Hidden Waters our home. The idea of having an active commercial event and party venue where up to 150 people would descend upon this peaceful place is absurd and extremely inappropriate. And since we are not aware whether the Wendorff's have offered any restrictions on what days of the week or what hours of the day they intend to operate this commercial enterprise, we must assume their events and parties will take place any time they choose and with little consideration of their neighbors. Since we will be retired and be at home a large portion of every day of the week, this commercial event and party venue will drastically change what is now a beautiful landscape.

The noise, the traffic, the parked cars on small one-lane roads, the heavy impact on the septic and water systems and our streets are just a few of the reasons this special use permit should be denied. Added to this, we see that the barn has 20-foot-wide barn doors that can be opened during good weather. This brings all the far-reaching event and party noises and sounds that are typical of such a venue up into the hills and down into the valley where wildlife and people are currently living in their mutually peaceful spaces.

We were in Victor over the Independence Day weekend, and it was incredible to be outside at night and have the dark sky and quiet surroundings. In fact, it was so quiet and peaceful that we could even hear howling off in the distance. This is the allure of the valley, and this planned residential area. We don't want to see it ruined by a noisy and disruptive commercial operation.

We would also point out that the Wendorff's property does not meet 3-6-13 Special Event Facility standards of the Teton County Land Development Code including 1) Minimum lot size for special event facilities shall be five (5) acres. The Wendorff's site plan indicates the property is 4.68 acres. 2) All vehicular parking shall be provided entirely on-site in compliance with Section 5-6-3(F). The Wendorff's site plan shows no proposed parking lot, and their narrative implies that they intend to have event guests park on "the existing roads in the subdivision." This is unacceptable.

If approved, this business venture will forever change the wildlife and living spaces surrounding the Wendorff's property including the Hidden Waters and Aspen Grove neighborhoods. As a new business venture that creates explosive traffic, road blockages and noise all day long and into the night, it will most certainly impact both short-term and long-term property values by discouraging current property owners from building on their lots, drive away future parcel purchasers and ultimately reduce the tax base.

We vehemently oppose the Wendorff's business plan and strongly encourage that the Commission deny the Wendorff's special use permit application.

Thank you,

Sue and Tony Arneson

[3273 Coneflower Circle, Victor ID 83455](#)



Sharon Fox <sfox@co.teton.id.us>

Request to deny special permit for Wendorff

Arcelia Hawks <achawks@gmail.com>

Sun, Jul 30, 2023 at 8:31 AM

To: pz@co.teton.id.us

Hello, As a neighbor on Little Pine Lane, I am asking for the denial of the special event permit requested by the Wendorffs. This area is not ideal and would be very disruptive to our quiet neighborhood. The impact of one large birthday party is proof enough that it was loud, lights were too bright, and the traffic going into HiddenWaters, which is a private road, we not acceptable for this small neighborhood. An occasional personal party is one thing but an event center that is asking to host 10 wedding a year with up to 150 people is not appropriate for the area. As you are aware 10,000 can be a tricky road to navigate as well and if this is the main travel path it will degrade as well. If the guests are not allowed to drive to through Hidden Waters, then our quiet street of Little Pine will become the defacto route. There are children, dogs, and neighbors enjoying a nice walk. The amount of traffic would be very impactful.

Thank you for your time and consideration.

Arcy Hawks
9691 Little Pine Lane
Victor ID 83455



Sharon Fox <sfox@co.teton.id.us>

Special Event Center Use Permit on 10000

1 message

Heather Bagley <heatherbag@gmail.com>
To: "pz@co.teton.id.us" <pz@co.teton.id.us>

Sun, Jul 30, 2023 at 7:36 PM

Teton County P&Z:

I am writing in response to the proposed special event center on 10000 South in Victor. It has come to my attention that David and Kristen Wendorff are seeking a special use permit for an event center. In an effort to appease their neighbors in the Hidden Waters subdivision and Aspen Grove they have suggested that traffic be diverted from those subdivisions and redirect their traffic via 10000 south.

To access 10000 South one would either have to get off Pine Creek Pass and go to the edges of Hidden Waters and Aspen Grove or come across 2000 West and then west on 10000 (which is what my understanding is what the Wendorffs are wanting to do). I suspect having an event center in a subdivision is primarily the concern of the subdivision residents which does not seem to go with the county vision for our valley.

My primary opposition to the proposed event center is the idea of diverting the event center traffic from the Hidden Waters subdivision and instead have that traffic go on 2000 W to access 10000 South. This would immensely impact my family and our neighborhood.

First of all, this proposal makes **NO** sense. The only reason I see for the Wendorffs wanting to divert traffic to 10000 is to avoid the problems related to the traffic and its ramifications for themselves and their neighbors in Hidden Waters and Aspen Grove. Really? The reason is to keep the peace with their personal neighbor while creating the problem for the residents to the east of them. They do not really care how it affects those residents, only the neighbors in their subdivision. Talk about haughty and presumptuous.

When a subdivision is proposed and accepted by the county the infrastructure must meet the demands of the impacts of that subdivision. So there is no reason why traffic should be diverted away from Hidden Waters subdivision. The most logical route for that traffic is through Hidden Waters. The proposed event center is located IN Hidden Waters. When Teton Springs, Moose Creek, The Tributary, etc. have an event they also have the traffic. That is part of owning the business. There should be absolutely no reason to divert it to 10000 South just so the problems and burdens of traffic become "someone else's problem". I can see why the residents of Hidden Waters would also not want this (I don't blame them), but don't allow the Wendorffs to just divert their traffic to residents to the east that they don't know or care about to appease the neighbors they do know.

Secondly, I don't see how traffic on 10000 South would work. It is a dirt road that essentially turns into a one lane road that is in poor shape on the best of days. It is rutted, often muddy, and the county does not plow it in the winter months. It is used for a farming road and should remain as such.

As a resident on 2000 West we have seen an immense increase in our traffic since we first built our home here 20 years ago and it's going to be even busier as homes are constantly being built (we have 2 new subdivisions in the works as I type this). To add to it traffic for an event center would be horrible and completely unnecessary. I would speak more to the event center itself, but I believe that's an issue amongst the residents of Hidden Waters and Aspen Grove subdivision. My intention is to strongly oppose the diversion of traffic to use 10000 South. Thank you for your time and consideration.

Heather Bagley

9790 S. 2000 w.

Victor, ID

heatherbag@gmail.com (208) 705-7514

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Heather

C I S C O C O N S T R U C T I O N I N C.
3225 Old Post Lane Victor, Idaho 83455 307-413-4570 grcisco4570@gmail.com

July 31, 2023

To: Teton County Planning & Zoning Commission
Subject: Wendorff Special Use Permit application

I am writing to express my concerns about the proposed special events use of our neighbor's property at 9885 Pine Ridge Ranch Road. To be clear, I am completely opposed to what they are requesting to do. While I certainly support everyone's right to use their property as is legally allowed, I draw the line when their rights begin to encroach on mine. I will offer details on this later in my letter.

I am a retired general contractor who owned and operated a custom home building company in Jackson, Wyoming for many years. My wife and our young family moved there in 1980. This was back when Jackson was still a small town. Well, those days are gone forever! My wife and I moved to Victor in 2016 because it still had that small town, rural feel. Now that I am retired, I forward to enjoying the rest of my time in our beautiful valley. Specifically, we have recently completed our final home in Hiddenwaters Subdivision. Just this past week, in fact, we were able to sit on our newly completely back deck and have dinner while enjoying the views, serenity and peace and quiet. I serve as a member of both the Board of Directors and also the Design Review Committee for Hiddenwaters HOA in an effort to help ensure our quality way of life continues.

I watched with interest as the Wendorffs built their party barn, often wondering how they would use it. Now, we know. They plan to pursue (presumably) a for-profit operation. While their narrative talks about "cherishing the peace of this beautiful valley" and expressing their "deepest desire to be a benefit to this extraordinary valley", if approved, their operation will accomplish just the opposite. I suspect their underlying goal is to make money by renting their commercial venue out numerous times per year. I find it interesting they are now effectively asking for forgiveness rather than having gotten permission in the first place. If their intent all along was to have a commercial operation, why did they not secure County approval for that specific use before they built it?

My main objections include:

1. Noise pollution – the sound of the music when Mr. Wendorff had his birthday party echoed throughout Hiddenwaters. There was no escaping it. If their parties are allowed to go on until 10PM, that means our neighborhood will be disturbed. I often times go to bed well before that time. **This is unacceptable.**

(Continued)

2. Light pollution – While Teton County has a strict “dark sky” exterior lighting Policy, the lights from the birthday party last year were significant and visible from many parts of Hiddenwaters. Also, I understand they were left on overnight because someone failed to turn them off. Further, the headlights from guest cars, when leaving an evening/night function will likely shine directly into my home. **This is unacceptable.**
3. Traffic – the Wendorffs have historically used Hiddenwaters Lane (a private road) for their comings and goings without contributing to its maintenance costs. Even though they say in their narrative they will address this potential for trespass by their parties, the reality is they cannot do so effectively or make any assurances their functions will not have any impact on the roads of our subdivision – both from a maintenance and privacy/serenity perspective. If this is approved, Hiddenwaters may have to install electronic gates to prevent trespass. I never aspired to live in a gated community, but I don’t want to live near a busy commercial use road either. Our HOA should not have to take this step to prevent trespass and does not have the funds to pay for such gates. **This is unacceptable.**
4. Water quality – in spite of the EIHD letter of findings, It would appear a typical wedding of 150 guests, plus staff, could equate to 750 gallons or more per usage. The findings statement clearly states their septic permit was based on a 2 bath/limited kitchen residential use. A typical wedding party will introduce almost a septic take full of waste water into the ground every wedding. Had they been forthright in the beginning, a larger commercial drain field could have been designed and built. **This is unacceptable.**
5. Lot size – LDC 3-6-13 states the minimum lot size to enable a Special Use Permit is 5.0 acres. Their plat map shows 4.68 acres. Their application, however, claims a lot size of 15 acres. I suspect they have included the other two lots they own to achieve the minimum required lot size. However, these other two lots (9869 and 9890 Pine Ridge Lane) lots could be sold at some time in the future. If sold, their Special Use designation on the small single would be noncompliant. Their lot is almost 5.0 acres, but I use the same logic found in sports – it is either a foul ball or it’s not. Close only counts in horse shoes. This alone should be grounds for denying their request. **This is unacceptable.**

In their narrative, they state they are “attentive to our neighbors”. This statement was made to support their suggested and untested efforts to divert traffic. They make no mention of mitigating noise and light pollution. The application requires “adverse impacts will be effectively mitigated or offset”. I cannot foresee any way they can achieve this requirement with regard to lighting and noise.

(Continued)

Wendorff SUP proposal

Page 3

In summary, I call on the Commission to consider the impacts of this proposed operation to the Hiddenwaters community and weigh the benefits to a single owner compared to the rights of the 40 some lot owners in Hiddenwaters. **Please deny their request.** All of the homes previously built in Hiddenwaters have abided by county rules and regulations. It seems only fair to apply the same level of standards to the Wendorffs. **I call on you to deny this request.** You are charged with helping shape the future of Teton Valley and enforcing all of the terms of the Land Development Code. **You must deny this request.**

Respectfully submitted.

Gregory and Moira Cisco

Lot 27 Hiddenwaters



Sharon Fox <sfox@co.teton.id.us>

ID 818 5476 8477 David and Kristen Wendorff

Chris Cole <Chris.Cole@encoreelectric.com>
To: "pz@co.teton.id.us" <pz@co.teton.id.us>

Wed, Aug 30, 2023 at 10:51 AM

I am completely against the SUP for the following reasons.

- The barn intended for use is on an elevated hill directly in front of my residential property at 9918 Hiddenwaters Ln. We will see and hear the vehicles and people associated with every event they hold.
- The associated coming and goings of vehicles will flow through the neighborhood.
- The road W1000 is currently gravel and not intended to handle the traffic.
- The road dust, considering prevailing winds will partially settle on our property.
- There will be obvious wildlife disturbance

Chris J Cole
VP Business Development



7125 W. Jefferson Ave., Suite 400 | [Lakewood, CO 80235](#)
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To: Teton County Planning and Zoning Commission
From: Pam Coleman
Re: Special Use Permit—Wendorff Hearing

Jul 31, 2023

Dear Planning and Zoning Committee,

I am writing to express my opposition to the application for a Special Use Permit submitted by David and Kristen Wendorff on their 9885 Pine Ridge Ranch Road property. This property runs adjacent to the Hiddenswaters Subdivision and along side a sloped, single lane, dirt road section of 10000 S. The intent or purpose for their proposed SUP is to be able to operate corporate meetings, creative retreats, spiritual retreats and other special events such as weddings that would accommodate between 130 -150 guests at a time. This is particularly heavy use in this designated Hillside and Wildfire Hazard Overlay area of the valley.

It is my belief and experience that a special events facility such as the one being proposed would cause a rather significant disturbance and disruption to the surrounding residences, as well impacts to the surrounding infrastructure and general landscape. The potential disturbances for which I am most concerned include some the following:

- 1.) Heavy road traffic/use will be a disruption and hazard to the surrounding neighborhoods and homes. More specifically the road that provides public access to the property 10000 S. is rugged and minimally maintained in nature. Not only will such use impact the quality of the primary access road, It is safe to assume guest will use neighboring subdivision roads to enter and egress facility.
- 2.) Sounds from the events will carry omnidirectionally on the hillside and with events going until 10pm (not to mentioned end of event noise and commotion) that could go well later into the night.
- 3.) Light pollution from events will be a disturbance for surrounding neighbors and residences.
- 4.) Risks to surrounding wells via the shared aquifer and increased septic use.
- 5.) Lastly, increased fire risk, in an already designated Wildfire Hazard Overlay with increased people and event activities.

As a property owner in the Aspen Grove neighborhood, it is my hope that you will take my concerns into significant consideration. Again, my husband and I are strongly adverse to this request for a Special Use Permit for a special events facility in a rather quiet area of the valley with neighboring, single home residences.

Sincerely,

Pam and Worth Coleman
9840 Little Pine Lane
Victor, ID 83445

Memo

To: Teton County Planning and Zoning Commission

From: Brian & Melissa DelMonego

Re: Special Use Permit—Wendorff Hearing

We are providing comment to the application for a Special Use Permit submitted by David and Kristen Wendorff, anticipating the hearing on their application set for August 8, 2023. We are lot owners in the Hiddenwaters community due to begin construction in the coming year.

We completely concur with the comments our fellow Hiddenwaters neighbor, Thomas Clark provided, including his concerns regarding noise pollution, risk of fire, violation of dark sky provisions, and impact to our community well and aquifer both from a water usage perspective and a potential contamination perspective. We have the same concerns.

- We do not want to be listening to loud music and loud voices throughout the day and night. Sound carries and noise pollution is one of our main concerns. The sound from these events would travel directly to our backyard.
- We do not want 150 cars and industry vehicles (caterers, musicians, transportation, sanitation, etc.) traveling our roadways, roadways that we in the Hiddenwaters community are expected to maintain. We do not want the additional air pollution that spews from these vehicles either.
- We do not want our community well negatively impacted by the ongoing activity of hundreds of event participants.
- These events could conceivably take place every week/weekend. Think about that. The impact to the Hiddenwaters community and the wildlife that call this area home would be profound.

We do not believe the Wendorff's are acting in good faith "with respect and with a heart and desire to cherish the peace, openness and beauty of this wild mountain home." How can this possibly be a truthful statement when they are talking

about bringing in large groups of people for a variety of events and all that goes with that, which naturally will disturb the peacefulness of the area?

We do not believe the Wendorff's comment that they have the "deepest desire to be a benefit to this extraordinary valley" but rather to benefit from the extraordinary setting by creating a profitable business in the middle of a residential community. They are not thinking of the impact to their neighbors. That is obvious in the complete arrogance of building a structure in advance of getting approval and then assuming, after the fact, that the County will approve of the concept and the neighbors will just have to accept it just because they "successfully" held a private event for a very large group of people. It is also presumptuous and arrogant to contact Google Maps on behalf of the community without approval: "In addition, we have contacted Google Maps to designate Hidden Waters as a private road in hopes that a GPS will direct people via an alternate route." This is not the solution. The solution is to not conduct such a business in this location at all.

We are not clear on how a lot that is zoned "rural" would be approved to run a business to host events for 150+ people negatively impacting adjacent residential communities. In our view, this proposal for a Special Use Permit (SUP) for a Special Event Facility adjoining Hiddenwaters is completely unacceptable and should be rejected.



Sharon Fox <sfox@co.teton.id.us>

Objection to SUP Application for Wendorff

1 message

Gary Glenn <gary@garyglenn.net>
To: "pz@co.teton.id.us" <pz@co.teton.id.us>

Mon, Jul 31, 2023 at 3:55 PM

I am formally objecting to the approval of a SUP for Wendorff. One of the requirements is a parcel of 5 acres or larger, none of the parcels owned by Wendorff are over 5 acres all are 4 acres plus. The only way to meet the requirement would be to have a parcel changed by the county, a survey would be required and all owners in the subdivision would need to have been notified or for the county to consider the individual parcels in aggregate.

We live at 9851 S 2000 in Victor, the subject property is quite a distance from our home however we do see his lights, at night it looks like an airport, we also hear the music well after 10:00 pm. I do not believe based on Wendorff's actions that he is concerned with affecting his neighbors, his actions prove contrary to his statements. We have seen a huge increase in traffic, cars go past my home at speeds in excess of 50 miles an hour headed to Wendorff's property. We have children, horses, dogs and neighbors that bike and walk their children in strollers, an increase in traffic of 150 cars for an event would be devastating and possibly deadly. Our neighbor had his dog run over already, who is next?

I find it personally offensive that MR. Wendorff takes a position of ask for forgiveness rather than asking in advance for permission. Shockingly he has had the audacity to ask that the county divert traffic through 2000 vs Hidden Waters. We all know that the county will not divert the traffic but that Mr. Wendorff will send out directions that will route the traffic through 2000 S.

There is nothing in any way that is good for the county or the citizens of Victor.

I ask the commissioners to consider the greater good of the county and deny the application.

Gary and Geri Glenn

[9851 S 2000 W](#)

[Victor, ID 83455](#)



Sharon Fox <sfox@co.teton.id.us>

Wendorff Special Use Permit comments - please confirm you received, thanks!

1 message

Kristina Goetz <1skunkiejunkie@gmail.com>
To: Sharon Fox <sfox@co.teton.id.us>, pz@co.teton.id.us

Tue, Aug 29, 2023 at 12:13 PM

Teton County Planning Department
Driggs, ID

I am sorry this wasn't submitted as part of the committee's packet for review, but I only heard about this proposal from a neighbor a few days after the comment period closed. As mentioned in an earlier email, I was planning to come to the August meeting to speak, but this agenda item was postponed. So, here I am.

I will be the first to admit I've never looked at a special use permit before, but after looking at this one I do have some concerns.

First, the request seems too vague, stating "probably" 10 big events a year, and then some other events too... If approved, this could prove to be 3, could be 10, or it could be 50, who knows? And the smaller events could be unlimited. Clearer language and clarification are necessary. While 10 weddings a year doesn't sound like many, I can't imagine brides-to-be will love the idea of being married in a barn in a blizzard. Summer is the time, and with our fleeting summer season, 10 weddings a year actually more likely means a wedding every weekend or more over the short summers here. Add to that a 10 pm ending time means traffic and breakdown will likely last another hour, and we've got a big late night bash in the neighborhood once or more a week all summer long. With this location, the sound impact from events will reverberate throughout the south end of the valley. Interesting that in the applicants narrative they express their desire to share the "peace and beauty" of their neighborhood, but it seems like this will be at the expense of exactly that for their neighbors. I don't know anyone who lives in a quiet neighborhood who would welcome an unnecessary 300-400 cars going by their home each day. Of course, this could be mitigated somewhat with clear terminology like "a maximum of 10 events a year, each occurring no more than once a month and ending at 8pm", a promise that this will be enforced, and to undergo regular annual review to hear from neighbors if it is being enforced.

Another even bigger concern is the access. It is nice to hear that the applicant is taking Hiddenwaters subdivision's desire for no traffic to pass through, which means attempting to reroute their traffic via county rounds. There are two options for that. One is coming down 2000 E and then along 10000S up to the applicant's property.

While yes, this looks pretty clear and direct on the map and GPS, the fact is that 10000S between about 2750 W and the applicant's property has no residences, and is

not constructed or maintained to handle that volume of traffic. 150 partygoers as well as caterers and wedding support infrastructure spells 300-400 vehicle trips per event. This seems unfeasible on a road that is completely closed in the winter and sometimes impassable in the spring and summer after rain. It's narrow dirt road, rutted and slippery, with not only its own pond down on the lower part, but also a hill that becomes rather a disaster in mud season and then a giant rutted mess after it dries. It can be difficult to get up even with 4WD, and a slippery slide going down. It's not necessary to upgrade this road with its current traffic, but I can't imagine the county would want to shoulder the considerable expense of upgrading this road to serve a single resident's commercial enterprise. And I can't imagine what headaches await partygoers coming via this road, or going home after a few glasses of wine, or what lawsuits might await the county for deeming this a road that can handle that level of traffic. I also can't imagine this route will meet the expectations of those coming to a "curated" event.

I'm not sure if any of you have travelled this road, but I've included a few shots of this stretch of 10000 here.

First is one that shows the stretch of it that is clearly marked "End of Winter Maintenance" heading towards the property in question, which is at the top of the hill in the distance.

Second is one that shows the "pond" as well as the width of the road.

Third is a shot of the hill right before the applicant's property entrance, which was taken after some rain a few weeks ago.

Given that, let's suppose that the applicant directs people via the third or fourth possible routes - via 10000 from the west end, which is somewhat better maintained, or through Aspen Grove Subdivision, although this would certainly negatively impact the residents of Aspen Grove Subdivision and shouldn't really be an option - and tries to steer partygoers away from the other two routes. The reality is with GPS, there's no way to really regulate which way people choose to drive. Even with recommendations and signage, the applicants recognize this themselves when they state "in the hopes that" their efforts direct traffic a certain way. Really, the only way to ensure that there's no traffic on the roads that aren't suitable for this quantity of traffic is to not have events down that way at all.

And then there's parking. The applicants mention parking on Hiddenwaters roads is plentiful, but if their event traffic isn't permitted on those roads, that is contradictory. So without providing a parking area on site, parking will have to be on 10000. Cars parked along this narrow road will absolutely impede whatever normal traffic there is during the time of the events because this road simply is not three cars wide. It is not easy to even just turn around on this road with no cars parked there; a driver changing their mind when seeing the conditions would be stymied during events if cars were parked along the road, and it's more than half a mile of going in reverse to find a place to pull off, provided there's not a car behind you. So directing eventgoers to this route could actually prove not just a headache of stuck vehicles and logjams, but a safety issue. The answer would be to require that the applicants provide their own parking on their property, which may not be possible given the size of their lot.

Given all this, it's clear that this permit request does not meet the first three of the four criteria used to grant permits because:

- 1 the location of this proposed use is not compatible with other uses in the general neighborhood
- 2 the proposed use will absolutely place undue burden - and likely create new problems with - existing public services in the vicinity
- 3 the site is not large enough to accommodate proposed use because they cannot provide parking

So in short, it seems to me that the Wendorff's vision isn't actually aligned with the reality of their location, the infrastructure, and the neighborhood.

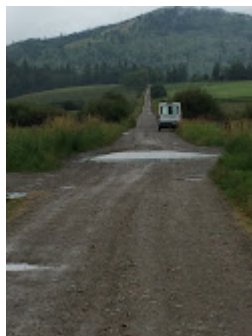
Just my two cents.
Thanks for your time and consideration!

Krissi Goetz

3 attachments



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To: Teton County Planning and Zoning Commission
From: Robert Brandon Harrison
Subject: Special Use Permit (application) - Wendorff Hearing

Date: July 28, 2023

I have lived in this Valley for some 17 years and am currently elected as President of the Hiddenwaters HOA here in Victor. I write in strong personal objection for any approval given. I have also talked to a number of the lot owners here who share my objections to the application for a Special Use Permit by David and Kristin Wendorff of California (and sometimes) here in Victor. (This application - in addition to specific objections - smells of a commercial undertaking)

It seems that the "application" is intended for future use. For whatever reason it seems as though this facility has been used previously for many of the past years anyway (and I'm guessing without any permit.) (I know this request refers (to what we here in our HOA) call as "the party barn" which has been used in the past on various occasions. (While I respect a neighbors privacy I [and others] can't help but notice - among other things - a marked increase of ATV/motor bike/motor cycle/ traffic mostly by youth on weekends. (Is this "party barn" already rented?) (When very bright lights, sounds from very loud speakers (I don't need an invitation as I'm already well within hearing and almost involved by my location.) Whenever there is an "event" - permitted or not - there is a dramatic increase in traffic and speed on HOA private roads. I mention the traffic (which is considerable) but the speed of vehicles as well. Both this traffic increase and speed represent a considerable liability to our routine walkers - children and their pets.

NOTE: There is traffic other than permitted days as various maids and ground keepers prepare for and cleaned up each event.

The objections by me, and other lot owners, mentioned - are not limited to the following.

- 1) TRAFFIC. This HOA is privately owned - including the road which would (and has been) used routinely by those attending or who will attend whatever WAS or might be a permitted event. This does not include the maintenance staff that we see (and would see) before and after uses(I must mention that Wendorff deliberately uses our private road (and doesn't even help volunteer nor pay for it's maintenance) as

- The application addresses only lot (Parcel RP 00060000040) which is only 4.68 acres versus the required 5.0 acres

CONCERN:

- Water contamination for our HOA and given the potentially use of their small lot - as many as 150 persons per a lot of only 4.68 acres in size.

Respectfully submitted

Robert Brandon Harrison
9780 Hiddenwaters Lane
Lot 42
Victor, Idaho. 83455



Sharon Fox <sfox@co.teton.id.us>

Event Barn proposal on 10,000

1 message

Brents Hawks <brentshawks55@gmail.com>
To: pz@co.teton.id.us

Sun, Jul 30, 2023 at 7:17 AM

My name is Brents Hawks and I live at 9691 Little Pine Ln. In Victor. I was a Jackson Wy. resident since the mid seventies and have moved to Victor about a year ago. My wife of 30 years and myself moved here for the peace and quiet along with the incredible beauty of Teton Valley Idaho and yes to also get away from the rat race carnival atmosphere of Jackson. Now we are already facing the same problems with the proposed "event barn" on 10000 S.

We are very opposed to this special event application by the Wendorfs. It has already been stated that the noise, the traffic, the lights, the LOUD music is a huge impact to our neighborhood. The party there last summer had music that literally shook the windows in our house it was so loud. We live about 1/4 mile away.

Thank you for your consideration, again we are VERY OPPOSED to this going through. It would have a severe impact on Aspen Grove and Hidden Waters subdivisions.

Thank you
Brents & Arcy Hawks

July 31, 2023

To: Teton County Planning and Zoning Commission
From: Troy and Jeanette Lark
Re: Special Use Permit—Wendorff Hearing

This letter is in response to the application for a Special Use Permit submitted by David and Kristen Wendorff, anticipating the hearing on their application set for August 8, 2023 (See Addendum).

As residents of the Aspen Grove Subdivision, we are opposed to an event venue being approved in a residential neighborhood. We specifically purchased the property in Aspen Grove to avoid the traffic and noise associated with living in or adjacent to a town or event center. Based on the application, all associated traffic will funnel through the Aspen Grove Subdivision with as many as 150 patrons traveling to and from the event. The road through Aspen Grove is used primarily by the lot owners in the subdivision who respect the properties and do not operate in a reckless manner.

We have 2 primary concerns:

- 1) Traffic along 10000 and Little Pine Lane would be increased by a significant factor during event days. The attendees would not be familiar with the roads or speed limits. In addition, adding alcohol served at the event has the possibility to contribute to potential accidents or damage to adjacent property owners. The road is not paved and there are no sidewalks to keep kids and people walking their pets off the roadway. This road was never intended to be used to access events.
- 2) Noise/dust: The increased traffic along Little Pine Lane will further degrade the existing road and cause noise and dust. There was one event held at the property last summer and the music, toasts, and lights could be seen and heard throughout the Aspen Grove neighborhood.

Point of Reference:

COUNTY LAND USE CODE

3-6-13 Special Event Facility

Item B (1) - Minimum lot size for special event facilities shall be five (5) acres.

- The lot size is 4.68 acres which is in violation of the code.

The property is zoned RA-35 "Rural" which would suggest the area would be farmed or have a single residence. The county should not approve special permits to properties that will bring traffic and noise to a quiet community whose residents live in the area with the specific intent to avoid these issues.

In summary, we oppose the approval of the Special Use Permit and ask the county to enforce the land use code and consider the impact on the neighborhoods of Hidden Waters and Aspen Grove.

Sincerely,

A handwritten signature in blue ink, consisting of stylized, cursive letters that appear to be 'TJ' or similar initials.

Troy and Jeanette Lark

ADDENDUM

ITEM 1:

6:00 PM PUBLIC HEARING: Special Use Permit – Wendorff Hearing: David and Kristen Wendorff have applied for SUP for corporate meetings, creative retreats, spiritual retreats, and other events in their existing 1700 square foot barn for up to 150 guests. The property is 4.68 acres and is located at 9885 Pine Ridge Ranch Rd in Victor.

Legal Description: RP000600000040; LOT 4 PINE RIDGE RANCH ADDENDUM PLAT SEC 17 T3N R45E

ITEM 2:

“With our newly constructed 1700 square foot barn, it is our hope to provide a curated experience for corporate meetings, creative retreats, spiritual retreats and other events. Our kick-off, a personal birthday party proved this is a property which easily accommodates a large group. The existing roads in the subdivision easily accommodated parking for our 130-150 guests with room to spare.”

ITEM 3:

“We are attentive to our neighbors and are aware that Hidden Waters subdivision has concerns regarding any non-residents using their road. We are willing to require event holders to direct guest traffic via county roads by including specific directions on their invitation. Should adjacent neighbors wish to be contacted prior to an event, we are most willing to do so via email and we can install directional signage prior to events to direct guests via preferred routes. In addition, we have contacted Google Maps to designate Hidden Waters as a private road in hopes that a GPS will direct people via an alternate route.

It is our deepest desire to be a benefit to this extraordinary valley. As we request this special use permit, we do so with respect and with a heart and desire to cherish the peace, openness and beauty of this wild mountain home.”

ITEM 4.

C. Special Use (S) Indicates a use that may be allowed in the respective district only after recommendation by the PZC and approval by the BoCC as set forth in Chapter 4. Special uses are subject to all other applicable requirements of the LDC, including any applicable use standards, except where the use standards are expressly modified as part of the approval process.

ITEM 5. COUNTY LAND USE CODE

3-6-13 Special Event Facility

A. Defined A facility used by groups of people to congregate temporarily for such purposes as education, meditation, spiritual renewal, meetings, conferences, social gatherings, seminars, or weddings and which may provide meals, services, and recreation for participants during the period of the retreat or program only. Such centers may not be utilized by the general public for meals or overnight accommodations. Chapter 3 – Use Provisions 3-38 .

B. Special use standards

1. Minimum lot size for special event facilities shall be five (5) acres
2. All vehicular parking shall be provided entirely on-site in compliance with Section 5-6-3(F).
3. All surface parking areas must be landscaped in accordance with Chapter 5, Section 6, Driveways, Parking, and Access.
4. Hours of operation shall be limited to the hours of 8:00 am to 10:00 pm daily
5. All lighting and illumination of outdoor facilities shall be turned off no later than 10:00 pm.
6. The applicant will need to provide verification of wastewater treatment system based on Teton County's Septic Capacity Evaluation form. Applicant is responsible for any fees associated with reviews.
7. A Type A Buffer per Chapter 5, Section 7 must be established along all lot lines abutting a ground floor residential use.
8. Approval for food service must be reviewed and approved by the Teton County Fire Marshal.
9. The applicant will need provide verification of a food license or a proved exemption from EIPH.
10. The special event facility shall comply with all requirements of the local fire district, the state health department, and other public agencies exercising jurisdiction over the establishment or operation.
11. The Fire District, Public Health District, and Teton County Planning Department shall be permitted to perform inspections as in any other business.
12. A permanent structure on a foundation shall be required for all special event Facilities to house restrooms, food preparation, and sanitation facilities at a minimum.

13. A commercial kitchen facility requires additional review and approval from EIPH. Applicant is responsible for any fees associated with reviews.
14. There shall be no overnight lodging at any special event Facility.
15. Special events which meet the descriptions of Section 3-10-2 require a Temporary Use permit.

To Teton County Planning & Zoning Commission,

We are writing in opposition to the Wendorff Event Center application for a Special Use Permit. Our opposition is based upon the following:

NON-COMPLIANCE WITH LDC STANDARDS

We believe the application does not comply with the following standards:

Section 3.6.13.B

1) *"The minimum lot size for special event facilities shall be five (5) acres."*

At 4.68 acres, the property does not meet the standard unless two lots owned by the applicant are legally consolidated and recorded. Otherwise, the other lots owned by the applicant could someday be sold and the event center would be sited entirely on less than five acres.

2) *"All vehicular parking shall be provided entirely on-site in compliance with Section 5-6-3(F)"* The application states that their one event so far accommodated everyone on the subdivision road. But that's not technically on site, especially since the applicant doesn't own all the lots in the subdivision. In addition, parking on one of the other lots owned by the applicant also wouldn't meet the standard unless that lot was legally consolidated with the event center lot and recorded.

6) *"The applicant will need to provide verification of wastewater treatment system based on Teton County's Septic Capacity Evaluation form. Applicant is responsible for any fees associated with reviews."*

Importantly, EIPH states that the applicant has proposed limits of ten 150-person weddings with an unlimited number of 50-person retreats—and the EIPH consent to the project is predicated on it—even though there is no mention of these limits in the application itself. Unless the conditions are included in any approval—and *those conditions are enforced by the County*—the application wouldn't merit EIPH approval.

7) *A Type A Buffer per Chapter 5, Section 7 must be established along all lot lines abutting a ground floor residential use."*

Because the barn sits on a hill with the lot lines at the bottom on the north and east sides, any required screening would have negligible value in mitigating noise and visual impacts.

SITE-BASED FACTORS

In addition, our opposition is based upon concerns as property owners in the neighborhood.

Septic

The septic situation is especially troubling, given the lack of standards to guide appropriate sizing of a system, the lack of limits on the number of retreats that could be held, and the location of the venue.

1. The EIPH letter states that:

"The IDAPA 58.01. Individual Subsurface Sewage Disposal Rules of Idaho do not directly address the wastewater flow for the above events. EIPH does not determine the wastewater capacity of a system for events such as described above. Teton County Idaho P&Z can determine a gallon per event per person rate should they wish to regulate a minimum septic system size for such events."

Though there are no standards to guide them, EIPH suggests that the 1000-gallon septic tank and drainfield are sufficient to accommodate the events as described in the letter. But the EIPH suggestion that the P&Z can "determine a gallon per event per person rate" doesn't inspire

confidence. I'm no wastewater professional, but I'm skeptical that the septic system would be sufficient if numerous retreats were held back-to-back throughout the year, or even just during the summer. Is that what EIPH envisioned or were they thinking only of occasional retreats? Does a 1000-gallon tank (and unknown septic field size) really accommodate 50 people using two bathrooms all day long? There is no limitation suggested on the number of retreats—what if retreats were held multiple days every single week, or even most days throughout the year? The event center would be meeting the intent of the EIPH letter, but it's hard to imagine that the current septic system could safely manage that burden. (In the recent application for the camping cabins on Hwy 31, EIPH required one 900-gallon tank per one-bedroom cabin. Does it really make sense that 50 people a day can use two toilets potentially every day of the week and not overwhelm the system?)

2. The event center sits near one of the headwaters of Warm Creek, as well as the community well for Hiddenwaters subdivision. It is not worth the risk of polluting those two water sources.
3. We have to assume this approval will run in perpetuity, including for subsequent owners. EIPH consented to this project from a septic point of view with conditions on the number of 150-person "weddings." But what about other 150-person events? Concerts? Birthday parties? Though the current owners suggest they intend to allow no more 10 large weddings per year, we have no idea what subsequent owners' uses might be.
4. Most important, perhaps, is the question of who will enforce, over time, the EIPH limitations on use? Even if they are added as conditions of approval, will the County enforce them?

Access and Traffic

The applicant states that they will attempt to have all event attendees access the venue via 10000 South. However, there are numerous issues with that substandard access:

1. 10000 South is a one-lane road in many places between Pine Ridge Ranch Road and Little Pine Lane (not to mention in places east of Pine Ridge Ranch Road as well). In the summer, there are a few wide spots where oncoming vehicles can pass, but in winter it is solidly one lane. Putting traffic of 150-person events— even 50-person events— on a one-lane road is inadvisable any day and it is unsafe in an emergency.
2. In wetter times, mud makes 10000 South a 4WD road in places. At drier times, dust from the traffic would certainly impact the residents there (as well as the southern Aspen Grove and Hiddenwaters residents from event attendees coming from the west). Dust abatement would be key regardless of where patrons access the venue, whether Little Pine Lane, 10000 South from the east, or 10000 South from the west.
3. During the large event last summer, multiple attendees accessed the venue via private Hiddenwaters Lane. To avoid this in the future and to mitigate traffic pressures on Little Pine Lane, the applicants have proposed contacting Google Maps to "...designate Hidden Waters [sic] as a private road in hopes that a GPS will direct people via an alternate route." However, it's not realistic to think that event center patrons will drive only on 10000 South to attend non-winter events— especially given that Google Maps (and other GPS services) are notoriously unreliable. (Witness the snafu that brought Yellowstone-bound travelers to an Alta subdivision a couple of years ago, and the serious problems near Rock Springs this winter when Google Maps rerouted unwary travelers to roads without winter maintenance during I-90 storm closures.) The applicants' hopes for Google Maps appropriately routing attendee traffic are unrealistic.

4. It may be worth noting that, currently, 10000 South is only (privately) plowed between Hiddenwaters Lane and Pine Ridge Ranch Road, even though Pine Ridge Ranch subdivision does not have legal access via Hiddenwaters Lane, a private road.
5. In the winter, the only legal access would be via Little Pine Lane. Even with a 50-person retreat, if every person drove their own car every morning and evening, there would be 50 more vehicle trips. Right now, seeing five cars when out walking the neighborhood is a lot. Imagine if there were 50 more. In the summer, with 150-person events, if every couple drove their own car, you'd have as many as 75 more vehicle trips at the beginning and end of the event. You'd best not be out walking your dog.
6. In an unexpected but interesting juxtaposition, Little Pine Lane is currently recommended for removal from the from the County Snowplowing Map. If it is in fact removed, Aspen Grove lot owners could be paying to plow the road so that a commercial business could use it.
7. If removal from the snowplowing map occurs and turns out to be a preliminary step to the County removing Little Pine Lane from the County Road Map altogether—reversing their acceptance of the road dedication approximately 40 years ago and presumably making it a private road—then the event center would have no winter access except via private roads over which there is no guarantee of winter access. Lots of ifs in that sentence, but it's a potential that should be considered.

Noise

1. Because the event venue sits on a hill, sound from events will be impossible to screen and will impact the greater neighborhood, regardless of any screening standards in the LDC. Events last summer at this venue and at Fin and Feather had profound impacts on the normal quiet of the neighborhood. With this experience, we know what the noise impacts will be and deeply object to the allowance of regular events that will bring such impacts.

Zoning/Use

1. This is a "principle commercial use" (per LDC land use chart) in a residential zone. Those who bought in this corner of the valley relied upon the residential zoning, which would be significantly compromised with this proposal. As Hiddenwaters and Aspen Grove build out, an event center will become an even more inappropriate use than it is now.
2. There is a good reason that an event center is a special use instead of a permitted use. If, for instance, on a large, secluded property in the same zone with limited impacts on neighbors, an event center could be an appropriate use. However, in a situation such as this, on less than five acres with significant and unmitigable impacts of traffic, noise, and potential ground water pollution, the use is utterly incompatible with the residential zone. I propose that this type of situation is exactly why the code allowed special use review, and that this application should be denied.
3. An approval of this SUP would establish an event center in this location for the long term. Though the current owner may not wish to host a constant stream of events (we don't know), subsequent owners may seek to fully exploit the commercial business and schedule a steady stream of events and retreats. Even if the P&Z sets conditions on the number and size of events, those conditions are meaningless without enforcement. Is committing to long-term enforcement by the County worth allowing a special use that stands to cause significant impacts to a residential neighborhood?

In summary, this is a highly impactful commercial use in a residential zone, which would be accessed by a one-lane road, and in winter additionally accessed via a road for which the county is currently recommending an end to county winter maintenance. Added to that are substantial and unmitigable impacts on the neighbors.

Clearly, this special use request should be denied.

Thank you for your hard work on behalf of our valley and for your consideration of our input.

Respectfully,
Susan and Mayo Lykes



To Whom it may Concern:

My name is Connie Marshall and I live off of 2000 W. I recently got word about an events center that is trying to get approved on 10000 S. In Victor. I am very concerned about how this will affect our quiet street. Music on Main has already affected us, by causing great noise pollution, and traffic. This will dramatically change our way of life living outside City limits, which we chose to do to enjoy the peace that the country brings. As I understand, our area isn't approved for commercial purposes, so I believe putting in an events center in our area would be illegal. If this goes through, my husband and I will have no choice but to take legal action regarding the matter.

My main concerns about an events center would be :

Noise: The event center would be located on a hilltop would have no barrier, it would effect sleep, and other things the benefits of living in the country brings.

Increased traffic We live on a dead end road! We chose to do so, so we would have less traffic.

Events usually happen in the Summer, and on Weekends which would mean every weekend would be a nightmare for us, dealing with the noise and increased traffic. This is something that really should be within City Limits. The peaceful country is not where this belongs .

Thank-you, and please Consider my concerns.

Connie Marshall



Sharon Fox <sfox@co.teton.id.us>

Wendorff hearing Aug 8th, 2023

1 message

Hilary Ordonez <hilary.ordonez@gmail.com>

Mon, Jul 31, 2023 at 3:29 PM

To: pz@co.teton.id.us

Hi folks,
Please see our comments regarding the proposed Wendorff SUP.
Thanks!

Memo

To: Teton County Planning and Zoning Commission

From: Carlos and Hilary Ordonez
2111 West 10000 South, Victor

Re: Special Use Permit—Wendorff Hearing

Date: July 31, 2023

I write in reference to the application for a Special Use Permit submitted by David and Kristen Wendorff, anticipating the hearing on their application set for August 8, 2023 (See Addendum, item 1) . We are unalterably opposed to any such facility being established adjoining the Hiddenwaters Subdivision at the top of 10000 South. We are 23 year full-time, year-round residents of Victor. The observations provided here are our own.

The submission submitted by the Wendorffs comes quite late in the development process. Why would anyone wait until after a facility has been constructed to seek official County permission to use it? I believe that they have resided full-time at that property for over 2 years and know they have had sufficient time to schedule essential approvals, and now they present us with a proposal as they try to push through their already built "event center" in hope we would overlook that their property does not meet county standards nor neighborhood values. Their "practice party" vividly showed the enormous detriment such a SUP would put on our entire neighborhood despite their assertion that their own property can handle it.

Their property is zoned RA-35 "Rural". Such facilities are expected to meet numerous criteria (Addendum Item 5). Please see addendums below. In order to have such an event venue per a special use permit states:

B. Special use standards:

1. Minimum lot size for special event facilities shall be five (5) acres
2. All vehicular parking shall be provided entirely on-site in compliance with Section 5-6-3(F).

The property in question is 4.68 acres so right there this property does not meet county standards. Parking cannot be contained on their property and their statement indicates they had people park on the subdivision road. Their property cannot and does not meet either standard and no SUP should be granted. These county standards are in place to protect rural values of the residents of the Smith Canyon corner who bought and maintain our properties, livestock, tree farms, and live in harmony with the rural landscape and its native wildlife. The "Event Facility" the Wendorffs seek to operate is a business, despite all the verbiage in their narrative, and is a money-making venture that monetizes the beautiful landscapes of the Smith Canyon area that we call home. This is not a location where an event center would better our community residents or provide any opportunities that would benefit anyone other than the Wendorffs. Please don't allow one new resident to ruin the rural value of our properties.

The Wendorffs assert they really care about our beautiful landscape in their neighborhood and adjoining lands to the east and west (Addendum Items 2 and 3). And that they will do everything to appease our concerns. They have not. The Wendorffs indicate that they'll direct their visitors—perhaps 150 patrons at a time—away from the private roads in Hiddenwaters and onto 10000 S. Visitors and service vehicles were told, via the invitation to Mr. Wendorffs birthday party, to use County Roads 2000 West onto 10000 South. Instead their guests should use Highway 31/Pine Creek Pass to Pine Creek Drive since it's the closest county access to their subdivision. That party for Mr. Wendorff's birthday only demonstrated the hollowness of the offer as the traffic past our property on 10000 South that afternoon and late into the evening was chaotic, dusty, and fast. Our narrow gravel county road is not a highway, yet their out-of-town guests treated it as such. All evening and the prior day our traffic counts ballooned. They said they'll change Google Maps to divert traffic away from Hiddenwaters, but in doing so they just impact other rural neighbors more. Our road is gravel and not suited to increased weights and use. 10000 S is already burdened by the construction traffic coming from Idaho Falls that uses it as a cut through from Pine Creek Pass to Teton Springs. The impact of noise and

dust is already high, and adding additional event traffic would become an increased burden on our road for the county to maintain, not to mention that the speeding visitors contribute to the loss of what makes our area so special. Would the Wendorffs financially help maintain our county road or help enforce speed limits? Will the county implement a 25mph zone to help mitigate ruts, potholes, dust, stress on rural road users and livestock?

Let's also consider the water needs of this proposed Event Facility. Hiddenwater's own pump house and two community wells for 52 lots are located immediately below this proposed events facility. Their map shows well sites near the "barn", drawing from the same aquifer as Hiddenwaters' two wells. Why was this encroachment not noted in the application? What is their plan for septic? How are they going to deal with the human waste aspect of up to 150 people multiple times a year? The placement of a septic system sufficient to accommodate the wastes of large crowds immediately to the east of two community wells in Hiddenwaters seems irresponsible and dangerous.

In a similar vein there are other neglected impacts to be brought out into the open. Fire hazards, snow removal, violation of dark sky provisions, and the disruption of wildlife and the quietness that year-round residents of our neighborhood seek. There are no assurances that can be plausibly offered, that these 130-150 visitors multiple times a year won't be a nuisance or worse.

In addition, on the night of their "practice party", the light and noise was intrusive even 1.3 miles down the road (10000 S) where we live. They sit at the top of a hill with no trees and no physical barriers to contain the effects of their parties. The impact of unlimited events a year will be tremendous on the entire neighborhood, humans and wildlife alike.

In the fields directly below the Wendorffs to the east, south and north, I have frequently seen nesting Sandhill Cranes (who like to return to their nest sites year after year), geese, elk, bear, moose and other wildlife who refuge in the quietness and wildness of our corner of the valley. It's why we love it so much here. To have traffic, excess lights, music, and gobs of people almost every weekend during the summer would surely displace the wildlife and devalue our property, not only monetarily but also in the value we residents place on having it there. Personally, we use 10000 south daily to walk our dogs and donkey, ride bikes and horses, xc ski and skijor in the winter. Our neighbors and valley friends do the same. It's a quiet, friendly road that we are lucky to have. We live in a special corner of the valley and to have an event venue in the middle of it all would ruin it. For the p&z and BoCc to give priority to an event guests' brief experience one evening over the effect that a year's worth of events on our neighborhood would have, would be disheartening.

In sum, this proposal for a Special Use Permit (SUP) for a Special Event Facility on the Wendorff property must be rejected. It does not meet county standards and there is no solution that makes it acceptable for our residents and neighbors.

ADDENDUM

ITEM 1:

6:00 PM PUBLIC HEARING: Special Use Permit – Wendorff Hearing: David and Kristen Wendorff have applied for SUP for corporate meetings, creative retreats, spiritual retreats, and other events in their existing 1700 square foot barn for up to 150 guests. The property is 4.68 acres and is located at 9885 Pine Ridge Ranch Rd in Victor.

Legal Description: RP000600000040; LOT 4 PINE RIDGE RANCH ADDENDUM PLAT SEC 17 T3N R45E

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"With our newly constructed 1700 square foot barn, it is our hope to provide a curated experience for corporate meetings, creative retreats, spiritual retreats and other events. Our kick-off, a personal birthday party proved this is a property which easily accommodates a large group. The existing roads in the subdivision easily accommodated parking for our 130-150 guests with room to spare."

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It is our deepest desire to be a benefit to this extraordinary valley. As we request this special use permit, we do so with respect and with a heart and desire to cherish the peace, openness and beauty of this wild mountain home."

ITEM 4.

C. Special Use (S) Indicates a use that may be allowed in the respective district only after recommendation by the PZC and approval by the BoCC as set forth in Chapter 4. Special uses are subject to all other applicable requirements of the

LDC, including any applicable use standards, except where the use standards are expressly modified as part of the approval process.

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3-6-13 Special Event Facility

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14. There shall be no overnight lodging at any special event Facility.
15. Special events which meet the descriptions of Section 3-10-2 require a Temporary Use permit.



Sharon Fox <sfox@co.teton.id.us>

Special Use Permit; 9885 Pine Ridge Rd

Andrea Paul <tetonwildcat@gmail.com>

Mon, Jul 31, 2023 at 11:54 AM

To: pz@co.teton.id.us

Good morning,

I am writing this letter, the first I have ever written to a county government, about the pending request for a Special Use Permit at 9885 Pine Ridge Rd.

I've been an owner in Hiddenwaters since it was developed back in 2008. I am vehemently opposed to this special use permit being granted. My lot will be the closest to the site of these special events and weddings, with regular traffic and noise directly impacting my experience. I have lived in the valley for 33 years and I bought this land many years ago and have diligently paid dues and taxes on it in anticipation of building a home there in a quiet space that does not see a lot of noise or cars. I am so tired of people moving into our valley and changing zoning for their own benefit, especially when they knowingly purchase land in an area that is zoned for a different purpose than the one they want.

Please register my opposition to this SUP as a citizen. The area is zoned rural for good reasons and therefore should not be granted a special use permit.

Thank you
Andrea Paul
Hiddenwaters Owner, Lot 50
307-690-5066

Andrea



Sharon Fox <sfox@co.teton.id.us>

Wendorf Hearing

Bruce Perlman <bruceperlman@gmail.com>
To: pz@co.teton.id.us

Mon, Jul 31, 2023 at 4:33 PM

With regards to the Special Use Permit request I would like to state my opposition to the proposed Special Events use of the Wendorf property. My opposition is consistent with our Home Owners Association letter of July 27, 2023.

Bruce Perlman
[9690 Little Pine Lane](#)
Victor 83455



Sharon Fox <sfox@co.teton.id.us>

CUP application -Wendorff event center

lpq@silverstar.com <lpq@silverstar.com>
To: pz@co.teton.id.us

Mon, Jul 31, 2023 at 1:47 PM

Dear Planning and Zoning Members,

We are writing to express our concerns with the application of a CUP for the Wendorff event center, and state that we are opposed to this special use permit for this event center. We are homeowners in Aspen Grove subdivision, which is fairly close to the property of the event center. We have lived in Aspen Grove for 25 years and are feeling the pinch of more homes, roads, subdivisions and people asking for zone changes, and CUPs within the county. We built a home in this subdivision because it is a unique, beautiful corner of the valley. We love the dark skies, the quiet, the proximity to national forest lands, and the serenity of being in the country. There is no doubt that if this CUP is granted much of what we live here for will be taken away. Is there a need for another event center? Is it alright for someone to make money to the detriment of other people's home life? Last summer, at our home, we very clearly heard the music and announcements of the birthday party that was held at the Wendorff's property. As the property/buildings sit up on a hill the sound travels out quite a distance. As there are two subdivisions very close to the event center all of the people living here will be affected. Not only by the noise but also by traffic. County road 10000 South is not wide enough, nor built to handle all the traffic, and it is not plowed in the winter. All this traffic will be going down county road 950 south, through our subdivision, as it is not allowed through Hiddenwaters. As a subdivision we already pay for dust abatement, and with a large increase in traffic, dust abatement would be a moot point.

We strongly feel that this area is not the place for an event center. Yes we live in the country, but both Aspen Grove subdivision and Hiddenwaters are dense subdivisions. As both subdivisions grow and become built out it doesn't seem right to subject all the homeowners to noise, lights, and increased traffic. It also should be noted that the buildings of the proposed event center are on the top of a hill. It is very visible for many neighbors, and people are able to see the lights at night from a far. Imagine, as well, seeing 75 cars parked on the top of this hill during an event, another eyesore for those of us who live and walk in the neighborhood. It also is a concern in regards to wildlife. The property to the south is zoned foothills and this is adjacent to national forest. There is a lot of wildlife that comes down into our area to use the creek and the cover the woods provide. The noise and traffic accompanying an event center could adversely affect the wildlife. Thank you for your time in carefully reviewing all letters and materials regarding this upcoming application for the event center.

Sincerely,

Leslie Prendergast
Peter Quinlan
homeowners in Aspen Grove Subdivision



Sharon Fox <sfox@co.teton.id.us>

Wendorff special use permit

1 message

Chloe Price <chloeprice427@gmail.com>
To: pz@co.teton.id.us

Wed, Aug 30, 2023 at 3:24 PM

July 30, 2023

To: Teton County Planning and Zoning
Subject: Wendorff Special Use Permit Application

My husband and I are currently building a home on Lot 30 in the Hidden Waters neighborhood, which is about a quarter of a mile away from the Wendorff's barn. The home we are building will be the first home we've ever owned, we are building it almost entirely ourselves, and it will be our full-time only residence. We have two small children (ages 4 and 7) and we chose to build our home in the Hidden Waters neighborhood first and foremost for our children to be able to play safely in the beautiful nature that surrounds it.

We are strongly opposed to the Special Use Permit that the Wendorffs are applying for for two simple but, in our opinion, very valid reasons:

1. The traffic that would inevitably accompany any and all events that occur at the Wendorff's property would be extremely difficult, if not impossible, to divert away from our private neighborhood roads. We appreciate the comments and concerns the Wendorffs have mentioned about diverting traffic, but in reality, there is no way to ensure that every single event guest and all staff coming to set up/ clean up events will follow written requests to avoid our roads.

My two kids' favorite activity is riding their bikes and we chose this neighborhood so that they could do so without having to have constant adult supervision, which we would absolutely have to do if this permit is approved.

In the best case scenario, we have a small portion of cars that drive through the neighborhood to and from each event, which is a nuisance but not the end of the world, but in the worst case scenario, we have **intoxicated drivers** coming from events where alcohol will undoubtedly and understandably be consumed due to the type of events that will be hosted: weddings, work retreats, etc. that will be a danger to all the residents and wildlife of our neighborhood.

That is not something we want to have to constantly be vigilant of every time our kids want to leave our yard. If the permit is approved, how will we know when every single event happening on the property will be occurring so that we can be sure to keep our kids safe?

2. The loud music that will inevitably occur with at least every wedding will absolutely disturb our kids' sleep, since the hours of operation mentioned in the application go until 10pm. Our kids go to sleep around 7, as is recommended by their pediatrician, because sleep is crucial to their development. Considering our close proximity to the Wendorff's barn, our small children will be kept up past 10pm on countless evenings over the next few years if this permit is approved. The noise will also inevitably scare away all of the native wildlife that call our area home, which we have the immense privilege and duty to protect.

We understand the potential benefits that an event barn would bring, but considering the extremely close proximity to a neighborhood with multiple young children and elderly people who use the roads extensively, the nature of the events and the alcohol that will undoubtedly be consumed by those attending events there, and the noise that will negatively impact all the people and wildlife closeby, we think this permit is unacceptable.

Thank you for taking the time to consider our views on the subject. We really appreciate it and hope the extensive safety and quality of life concerns for the people and wildlife of the Hiddenwaters neighborhood residents outweigh the monetary benefits to the Wendorffs and this permit is denied.

Sincerely and respectfully,

Chloe, Levi, Hazel and Alden Price
Lot 30



Sharon Fox <sfox@co.teton.id.us>

Wendorff special use permit

1 message

Steve Ratcliff, DDS, MS <SRatcliff@speareducation.com>

Mon, Jul 31, 2023 at 12:04 PM

To: "pz@co.teton.id.us" <pz@co.teton.id.us>

To: Teton County Planning and Zoning Commission
July 31, 2023

To the Commission,

I am writing in response to the Wendorff Special Use Permit to be heard by the Commission on August 8th, 2023. I am a resident of the Aspen Grove Subdivision, living on Little Pine Lane. I read with dismay the application since our quiet road will be significantly impacted should this application be approved. While at the current time Little Pine Lane is a county road and open to all traffic, it is not well maintained by the county and would be impacted negatively by the added traffic this event center would bring.

Add to that the noise and light pollution that would invade our quiet neighborhood and it becomes an untenable situation.

Dr. Tom Clark has written an elegant response to the impact this would have on Hidden Waters (attached) and I certainly support all of his assertions. If in fact, Hidden Waters does take measures to close off their roads to event traffic then Little Pine Lane will take the traffic hit.

I also note that in section 3-6-13 of the County Development Code that a requirement for a special use event permit requires a 5 acre lot and parking for vehicles.. The existing lot size is 4.68 acres and the parking is on both sides of the access road. Blocking that road with parked vehicles seems to me to create a hazard to emergency vehicles and should not qualify as adequate parking.

I urge the Commission to deny this application.

May I please have confirmation that this email has been received?

Respectfully,
Steve Ratcliff
9760 Little Pine LN
Trustee, Otter Trust

Steve Ratcliff, DDS, MS
Executive Vice President, Business Development
SRatcliff@speareducation.com
C480-225-1041
<http://speareducation.com>

SPEAR

THE PURSUIT OF GREAT DENTISTRY

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Special Event Comment Letter 7.27.2023.docx
22K



Sharon Fox <sfox@co.teton.id.us>

Application for a SUP by David and Kristen Wendorff

1 message

William Ream <ream.bill@gmail.com>
To: "pz@co.teton.id.us" <pz@co.teton.id.us>

Wed, Aug 30, 2023 at 6:46 PM

To: Teton County Planning Commission

Re: Application for a SUP by David and Kristen Wendorff

Date of Hearing: September 12, 2023

My wife and I own lot 38 (3377 Coneflower Circle) in the Hiddenwaters development. The rear boundary of our lot abuts the Wendorff's property for which a SUP is being requested. The location of the proposed use is incompatible with the quiet, residential nature of the neighborhood unless conditions are placed on the SUP and enforced. People purchased in Hiddenwaters with the expectation of peace and quiet, and an event center is contrary to that expectation.

We have not yet built on our lot, but my concern is that uncontrolled noise and light from the proposed event center will create a nuisance for our property and our neighbors. I envision loud music, loud conversation, automobiles coming and going, and lights shining in our windows and brightening the night sky. To minimize such a scenario, if the Planning Commission approves the SUP, I request the following conditions:

1. Events must end at a reasonable time of day, say 8:30 pm;
2. The Planning Commission will set a reasonable decibel limit;
3. All outside lights will be shielded so that no light sources will be visible and only downlights will be allowed;
4. The Planning Commission will set a reasonable limit on the light brightness;
5. A fence will be installed to shield the Hiddenwaters lots from automobile lights when automobiles are entering or leaving the event center at night;
6. Attendees and service providers will be instructed by the Wendorffs to enter and leave via W 10000 S. On the day of an event, the Wendorffs will place signs on Highway 31 at the entrance to Hiddenwaters directing event attendees to the W 10000 S entrance.

hanks,
William Ream



Sharon Fox <sfox@co.teton.id.us>

hidden oaks subdivision

1 message

Rachel Simeon <rachelksimeon@gmail.com>
To: "pz@co.teton.id.us" <pz@co.teton.id.us>

Sun, Jul 30, 2023 at 4:03 PM

Dear Planning Commission,

I would like to express my concern about the proposed Hidden Oaks subdivision in Tetonia. The proposed 64 lots are far too dense for the area and would have a significant impact on the infrastructure and migration corridor.

The infrastructure such as roads, waste management, water availability and even local amenities such as schools are all going to be negatively impacted by such a development. Roads are already struggling to keep up with growth and would become even more impacted by the construction traffic and the new potential residential traffic. The presence of potholes, ruts and washboards on the 6000 n is already increased in recent years. I can't imagine adding more traffic to our road. Furthermore, highway 33 is not set up for such an influx of traffic. There already are issues with a lack of lights and turning lanes making it dangerous.

I also have serious concerns about the solid waste management for such a large development. Would it be tied into the Tetonia system? Or would there be numerous septic systems along a sensitive wetland potentially contaminating nearby well water. Furthermore, we use the water from spring creek to irrigate. How will this impact our water supply for agricultural purposes?

Additionally, habitat for birds, elk, moose and other native species will be greatly harmed by developing along the corridor. There are numerous places in the valley to build that are not directly in a migration zone. It would be a horrible loss to the ecosystem and biodiversity of our valley's species to develop so densely in such a sensitive area.

Finally, how are local amenities such as the school's going to support a potential influx of students?

I appreciate your time to hear my concerns and I hope there is serious consideration on how this affects the area. Thank you for your time,

--

Rachel Simeon
4356 west 6250 north
Tetonia, Idaho



Sharon Fox <sfox@co.teton.id.us>

Wendorff Hearing

1 message

Tony Sloan <sloanaj@hotmail.com>

Sat, Jul 29, 2023 at 5:45 PM

To: "jkrueger@co.teton.id.us" <jkrueger@co.teton.id.us>, "sfox@co.teton.id.us" <sfox@co.teton.id.us>, "clazes@co.teton.id.us" <clazes@co.teton.id.us>, "pz@co.teton.id.us" <pz@co.teton.id.us>

To whom it may concern,

I would like to provide comment with regards to the Wendorff Hearing taking place on August 8th at 6pm. I am a homeowner on 2000W in southwest Victor. I remember the day the Wendorffs hosted their party last summer. I grew more and more aggravated as the music blasting from their event carried on later and later into the evening until I eventually called the Sheriff to see if a noise complaint could be carried out. I was not alone in my frustration as I spoke to many people who had heard the music throughout the south end of the valley. We live in a very peaceful area of Teton County and I feel as though when the Wendorffs claim they "are attentive to our neighbors" they are simply providing lip service to try to push this permit through. They refer to "the 15 years we have rested on this beautiful spot" in their narrative, yet their mailing address is far away in southern California.

In addition to the fact that special events do not fit the character of the area, 10000S is far from a suitable road for that level of traffic. Many people use that road for dog walks, bike rides, cross country skiing, and evening strolls. All of which are able to be enjoyed due to the limited number of vehicles using the road. This is a feature of our neighborhood and should not be thrown out the window for the whims of one family.

Please join me in recognizing the degradation to quality of life and neighborhood character to myself and my neighbors that would occur should this permit be issued.

Thank you for your time and consideration,

Tony Sloan
10270 S 2000 W



Sharon Fox <sfox@co.teton.id.us>

'NO' on Special Use Permit @ Wendorff property

Steve Sommer <steve.sommer1@gmail.com>

Sun, Jul 30, 2023 at 5:31 PM

To: pz@co.teton.id.us

>
>
> Dear Teton County Planning Commission members,
> I oppose the application for a Special Use Permit on the Wendorff property. My property in the Hidden Waters subdividing is my refuge from imposition, noise, car congestion, and crowds. The Wendorff's application for a Special Use Permit to create their site for an Event Venue is a degrading proposal for residential...and agricultural property. Their 'for profit' proposal is a threat to my 'resident' peace of mind!
> Please deny this application.
> Thank You,
> Robert Sommer
> 3426 Turning Leaf
> Victor, ID.
>
>
> Sent from my iPad



Sharon Fox <sfox@co.teton.id.us>

Wendorff's Special Use Permit

1 message

Shelley Streit <idahostreit@icloud.com>

Mon, Jul 31, 2023 at 5:22 PM

To: pz@co.teton.id.us

To whom it may concern:

I am a resident of 2000 W in Victor and it has come to my attention that you are considering a Special Use Permit on 10000 S.

I have some concerns with this request. My main concern would be that the Wendorff's do not meet the minimum required lot size (5 acres) set forth by the county land use code 3-6-13 to be granted this permit.

Secondly, the documents specify that traffic will be directed down county road, 2000 W and over to 10000 S so as to avoid the private road of the Hiddenwaters subdivision. I feel this will put undue strain on the 'chip sealed' road that is 2000 W. The addition of the parking lot at Smith Canyon has already increased traffic down this road a great deal. I feel an impact study and paving of both 2000 W and 10000 S would need to be completed before you could judiciously approve use of an event facility that will accommodate up to 150 people.

I have various other considerations, but honestly feel between not meeting the county land code standards and safety, not much else matters.

Thank you for your time.

Shelley Streit
208-313-0009

Sent from my iPhone

Memo

To: Teton County Planning and Zoning Commission
From: John & Megan Sweeterman
Re: Special Use Permit—Wendorff Hearing

Date: July 27, 2023

We are writing in reference to the application for a Special Use Permit submitted by David and Kristen Wendorff, anticipating the hearing on their application set for August 8, 2023. We opposed any such facility being established adjoining the Hiddenwaters Subdivision. We are currently building in Hiddenwaters and chose this location because of its quiet and serene landscape.

The noise we've already experienced from several smaller groups of guests is bothersome. In addition to the outdoor music played unnecessarily loud is the bright lighting which is often left on throughout the night. We can't imagine how much more problematic this could be with groups of 130-150 people. Not to mention the traffic. And finally, we have a huge concern for wastewater and the potential impact it may have on the quality of our well water.

In summary, this proposal for a Special Use Permit (SUP) for a Special Event Facility adjoining Hiddenwaters is absolutely unacceptable. There is no negotiable accommodation that can alter this condition. This proposal must be rejected outright.

Sincerely,

John & Megan Sweeterman
9760 Hiddenwaters Lane
Victor, ID 83455

ADDENDUM

ITEM 1:

6:00 PM PUBLIC HEARING: Special Use Permit – Wendorff Hearing: David and Kristen Wendorff have applied for SUP for corporate meetings, creative retreats, spiritual retreats, and other events in their existing 1700 square foot barn for up to 150 guests. The property is 4.68 acres and is located at 9885 Pine Ridge Ranch Rd in Victor.

Legal Description: RP000600000040; LOT 4 PINE RIDGE RANCH ADDENDUM PLAT SEC 17 T3N R45E

ITEM 2:

“With our newly constructed 1700 square foot barn, it is our hope to provide a curated experience for corporate meetings, creative retreats, spiritual retreats and other events. Our kick-off, a personal birthday party proved this is a property which easily accommodates a large group. The existing roads in the subdivision easily accommodated parking for our 130-150 guests with room to spare.”

ITEM 3:

“We are attentive to our neighbors and are aware that Hidden Waters subdivision has concerns regarding any non-residents using their road. We are willing to require event holders to direct guest traffic via county roads by including specific directions on their invitation. Should adjacent neighbors wish to be contacted prior to an event, we are most willing to do so via email and we can install directional signage prior to events to direct guests via preferred routes. In addition, we have contacted Google Maps to designate Hidden Waters as a private road in hopes that a GPS will direct people via an alternate route.

It is our deepest desire to be a benefit to this extraordinary valley. As we request this special use permit, we do so with respect and with a heart and desire to cherish the peace, openness and beauty of this wild mountain home.”

ITEM 4.

C. Special Use (S) Indicates a use that may be allowed in the respective district only after recommendation by the PZC and approval by the BoCC as set forth in Chapter 4. Special uses are subject to all other applicable requirements of the LDC, including any applicable use standards, except where the use standards are expressly modified as part of the approval process.

ITEM 5.COUNTY LAND USE CODE

3-6-13 Special Event Facility

A. Defined A facility used by groups of people to congregate temporarily for such purposes as education, meditation, spiritual renewal, meetings, conferences, social gatherings, seminars, or weddings and which may provide meals, services, and recreation for participants during the period of the retreat or program only. Such centers may not be utilized by the general public for meals or overnight accommodations. Chapter 3 – Use Provisions 3-38 .

B. Special use standards

1. Minimum lot size for special event facilities shall be five (5) acres
2. All vehicular parking shall be provided entirely on-site in compliance with Section 5-6-3(F).
3. All surface parking areas must be landscaped in accordance with Chapter 5, Section 6, Driveways, Parking, and Access.
4. Hours of operation shall be limited to the hours of 8:00 am to 10:00 pm daily
5. All lighting and illumination of outdoor facilities shall be turned off no later than 10:00 pm.
6. The applicant will need to provide verification of wastewater treatment system based on Teton County's Septic Capacity Evaluation form. Applicant is responsible for any fees associated with reviews.
7. A Type A Buffer per Chapter 5, Section 7 must be established along all lot lines abutting a ground floor residential use.
8. Approval for food service must be reviewed and approved by the Teton County Fire Marshal.
9. The applicant will need provide verification of a food license or a proved exemption from EIPH.
10. The special event facility shall comply with all requirements of the local fire district, the state health department, and other public agencies exercising jurisdiction over the establishment or operation.
11. The Fire District, Public Health District, and Teton County Planning Department shall be permitted to perform inspections as in any other business.
12. A permanent structure on a foundation shall be required for all special event Facilities to house restrooms, food preparation, and sanitation facilities at a minimum.
13. A commercial kitchen facility requires additional review and approval from EIPH. Applicant is responsible for any fees associated with reviews.
14. There shall be no overnight lodging at any special event Facility.
15. Special events which meet the descriptions of Section 3-10-2 require a Temporary Use permit.



Sharon Fox <sfox@co.teton.id.us>

Event center

Vicki Varnum <vickivarnum@gmail.com>

Mon, Jul 31, 2023 at 4:59 PM

To: pz@co.teton.id.us

My opposition to this event center is consistent with this letter. I am a resident of Aspen Grove subdivision and our view is of this event area.

Vicki Varnum

Sent from my iPhone



Event center letter 2023 7-30.docx

24K



Sharon Fox <sfox@co.teton.id.us>

Special Use Permit—Wendorff Hearing August 8 - COMMENTS TO THE COMMISSION

1 message

Kim Vletas <Kim.Vletas@protravelinc.com>
To: "pz@co.teton.id.us" <pz@co.teton.id.us>

Mon, Jul 31, 2023 at 4:41 PM

To Teton County Planning and Zoning Commission:

This letter is in reference to the application for a Special Use Permit submitted by David and Kristen Wendorff, in advance of the hearing on their application set for August 8, 2023.

My husband and I are full-time, year-round residents in the Hiddenwaters subdivision (Lots 17/18), located in the adjacent subdivision to the Wendorff's property. I would like to bring several of our concerns to your attention, and let you know we are strongly opposed to this facility being approved for a Special Use Permit.

Timing of the Application

Why are the Wendorffs only now applying for this Special Use Permit? Originally, the structure was labeled as a barn. I'm curious to know what purpose was originally stated for their barn in their application for a building permit? The apparent change in purpose raises many questions, as it appears it was always their intention to use it for a commercial business in a special events building.

Increased Traffic

It is widely known the only legal access to their property is via 10,000 South and/or Little Pine Lane. Neither of these roads were built to sustain the type of added traffic that would occur as a result of this events facility. And since 10,000 South isn't maintained in the winter, all traffic would therefore be funneled via Little Pine Lane, posing significant logistical and safety problems.

Also, despite the fact that Hiddenwaters Lane is a private road restricted for the sole use of Hiddenwaters lot owners, I regularly observe traffic coming to/from their property via Hiddenwaters Lane. This includes not only cars, but trucks evidently for the purpose of building their pond, plus other contractors, service and construction-related vehicles. Also, there are often ATV's which are apparently available to their family, friends and renters (Airbnb/VRBO?), who blaze through our subdivision at all times of day and night. Not only is this a major noise annoyance, but it's also a danger to walkers, and a disturbance to wildlife. In doing so, they regularly trespass on private property with an apparent disregard for the law.



Intensity and Frequency of Use

Their application mentions 10 events per year, but fails to detail the number of events which could be allowed per season and/or per month? For example, if all the events were to take place during the summer season (prime time for weddings, reunions, etc.), that could mean an event nearly every weekend from June through August. This would result in considerable impact over a very short period of time.

They also state it will be used for corporate or private events for up to 50 people. But there's no mention as to how many events might occur during the year, and for how long? Are they planning on one-day retreats, or possibly longer? Who knows their true intention, based on the vagueness in this aspect of their application.

Noise and Visual Impact

I don't see any mention in the Land Use Code addressing how loud the noise could be? Also, who will be responsible for monitoring and enforcing the noise level? Will the neighbors have to invest in a noise level meter and monitor it every time there's an event? Also, we know how far sound can carry- so it won't only be their nearby neighbors who will know every time there's an event happening. Noise will carry straight down valley, and up into the adjacent forest land to their south. No one will need a personal invitation to their partier in order to dance to the music from the DJ's or live bands.

Also, I feel I would be remiss not to mention their past non-compliance with the county's dark sky ordinance. They've had a string of outdoor lights on the exterior of the entire building which were left on nearly every night this past winter (and beyond). So, what might we expect during events, if this is what we saw on a regular basis?

The hilltop location of this facility, which overlooks dozens of houses in the immediate area, plus the apparent lack of any clear noise regulations, could lead to constant noise and visual disturbances for many people both far and near.

Water and Sewer Effects

Hiddenwaters Subdivision has two community wells and a pump house for our 52 lots, which are located immediately below their proposed special events facility. Their site plan shows well sites near this barn, which is either currently drawing from or in the future will draw from the same aquifer. Was this encroachment noted (approved) in their original application to build the barn? The potential long-term impact to the aquifer is deeply concerning and appears to have been possibly disregarded.

IN CONCLUSION

I unequivocally believe that an event center of this scope has no place in this neighborhood or in this peaceful rural setting. The proposed plan will inflict significant and permanent damage to this tranquil corner of Teton Valley.

Therefore, I urge the Commission to deny this application in its entirety.

Thank you for your serious consideration of these matters.

Best,

Kim Vletas

Victor, ID

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Sharon Fox <sfox@co.teton.id.us>

Special Use Permit-Wendorff Hearing Aug 8

Angie Wald <angiewald00@gmail.com>
To: "pz@co.teton.id.us" <pz@co.teton.id.us>

Mon, Jul 31, 2023 at 3:33 PM

To Teton County P&Z Commission:

I am currently the owner of Lot 28 in Hidden Waters Subdivision. I am adamantly opposed to the proposed special use permit for the Wendorff property.

I purchased this lot because I was looking for a beautiful and peaceful place to build my forever home and spend my retirement. An opportunity to return to my rural Idaho roots. Currently living in the Boise Valley and enduring the explosion of growth in the last couple of years. I would hate to see the same impacts in Teton Valley.

The idea of this type of commercial venue in the beautiful peaceful Teton valley is unacceptable. The noise, traffic, and light pollution that this type of venue would bring to the valley will impact wildlife and homeowners in the area. By allowing this type of venue this will set a precedent for other such event venues. The benefits for the Wendorff is very one sided and does not benefit the valley or other adjacent homeowners. This will forever change the living spaces to the surrounding properties of Hidden Waters and Aspen Grove.

I am vehemently opposed to the Wendorff's business plan and encourage the Commission to deny the Wendorff's application.

Thank you
Angie Wald



Sharon Fox <sfox@co.teton.id.us>

Fwd: Wendorff Special Use Permit

1 message

Andy Weller <awincaroads@gmail.com>
To: pz@co.teton.id.us

Sun, Jul 30, 2023 at 8:43 PM

----- Forwarded message -----

From: **Andy Weller** <awincaroads@gmail.com>
Date: Sun, Jul 30, 2023 at 10:25 AM
Subject: Wendorff Special Use Permit
To: <jKrueger@co.teton.id.us>

Hello,

I am writing you to voice my concern pertaining to the Wendorff party barn.

My home build is nearly completed in the Hidden Waters Subdivision and unfortunately my home is in direct line of sight of the Wendorff's barn.

The lights from this facility cast a blinding beam directly into my family room windows. There is nothing even remotely close to dark sky compliant.

Also the noise that carries out from the barn is beyond obtrusive so I must state my concerns and vigorously oppose this Special Use Permit..

Thank You very much,

Andrew Weller
Lot 19A
Hidden Waters Subdivision



Sharon Fox <sfox@co.teton.id.us>

Special Use Permit—Wendorff Hearing

1 message

Brian Wolanski <wolanskibrian80@gmail.com>

Mon, Jul 31, 2023 at 10:33 PM

To: pz@co.teton.id.us

I write in regard to the application for a Special Use Permit submitted by David and Kristen Wendorff.

I am a resident in Aspen Grove subdivision on Little Pine Lane, and I have valid concerns about the amount of added traffic this event space will cause. If the Wendorffs are proposing accessing their space through 10000, will they be plowing it to the highway in the winter?

I reference one of my neighbors' concerns about the current state of our road below.

"6. In an unexpected but interesting juxtaposition, Little Pine Lane is currently recommended for removal from the County Snowplowing Map. If it is in fact removed, Aspen Grove lot owners could be paying to plow the road so that a commercial business could use it.

7. If removal from the snowplowing map occurs and turns out to be a preliminary step to the County removing Little Pine Lane from the County Road Map altogether—reversing their acceptance of the road dedication approximately 40 years ago and presumably making it a private road—then the event center would have no winter access except via private roads over which there is no guarantee of winter access. Lots of ifs in that sentence, but its a potential that should be considered.--"

In closing, my core beliefs tell me to treat people the way I would like to be treated. I understand their desire to occasionally rent their house out to pay some of the added costs of having a vacation home. But I didn't move my family to a quiet dirt road just to have my three young kids run off the road by drunken wedding goers.

Brian Wolanski
wolanskibrian80@gmail.com
307.690.7321

To: Teton County Planning and Zoning Commission
From: Michael Zolkewitz and Michelle Kramer
Re: Special Use Permit—Wendorff Hearing

Date: July 27, 2023

Dear Commission:

We are writing to express our opposition to the application for a Special Use Permit submitted by David and Kristen Wendorff, regarding their property at 9885 Pine Ridge Ranch Road (Parcel# RP000600000040).

We maintain the application does not meet the criteria found in Chapter 6: Land Use Permits, Section 8-6-1 of the Teton County Land Development Code.

Specifically:

Reason 1: The proposed use MAY place an undue burden on existing public services and facilities in the vicinity.

The proposed location for the event center is located within 350 feet of a Foothills Zone District (FH-10) “intended to ensure development is in harmony with the mountainous settings that are a higher risk to wildfires and notable for wildlife values” (Teton County Land Development Code, 2022). The proposed venue location also lies within the Wildfire Hazard Overlay (WHO); referred to in section 5-4-3 of the Teton County Land Development Code as areas requiring special land management considerations. Access to the Wendorff’s property will be limited to County Road W10000S, as attendees will not be able to utilize Hiddenwaters Lane. **County Road W10000S delineates the RA-35 Zone from the FH-10 zone and a higher volume of traffic along this boundary road may increase the risk of fire (e.g., cigarettes) in the foothills as well as impact wildlife; thus, conflicting with the special protections provided by the Teton County Land Development Code.** Land management for the FH-10 zone should “follow best practices to help prevent wildfires and minimize threats to life and property and preserve critical wildlife habitats such as wildlife migration linkage areas at the forest edge”.

Therefore, this application has the potential to place an undue burden on existing public services and facilities in the vicinity and is unresponsive of the Teton County Comprehensive Plan.

Reason 2: The location of the proposed use is NOT compatible with other uses in the general neighborhood.

The Hiddenwaters and Aspen Grove subdivisions would be directly impacted by this special use provision. Most homeowners in these communities represent year-round Teton Valley residents (66% of existing or under-construction homes), or part time residents exclusively using their homes for personal use (26%). A smaller percentage of homeowners in this corner of the valley use their properties for passive income via rentals (8%). As such, these areas should be considered truly residential, affording the benefits of living in a RH-35 zone. **A special events facility would be incompatible in this area given the permanency of its residents and any exceptions made to the RA-35 zoning code through a special use permit would negatively impact residents.** You’ve already heard some of these impacts from fellow residents (e.g., traffic capacity, noise and light pollution, and strain on shared natural resources.) Accordingly, we assert the presence of such an event space is not harmonious with the surrounding community and the location of the proposed use would be incompatible to other uses in the general neighborhood.

Reason 3: The site is NOT large enough to accommodate the proposed use and other features required by this title.

As required in section 3-6-13-B.1 of the Teton County Zoning Land Development Code, the “minimum lot size for special event facilities (requiring a SUP permit) shall be 5 acres”. **The lot size for the location of this Special Event**

Facility (Parcel# RP00060000040) is 4.68 Acres. Furthermore, the length of Pine Ridge Ranch Road is approximately 700 linear ft. from its origination at County Road W10000S to its cul-de-sac (Figure 1). At only 15 feet wide, the street will likely only allow for single sided parking and the ability to accommodate events of 150 guests without overflowing onto county roads should be questioned. Hence, the site is NOT large enough to accommodate the proposed use and other features required by this title.

Reason 4: The proposed use is NOT in compliance with and DOES NOT support the goals, policies, and objectives of the comprehensive plan.

Finally, we respectfully ask the Commission to consider the number of wedding venues/and business retreat centers that currently exist within a 30-mile radius (Table 1). Does Mr. and Mrs. Wendorff’s residential endeavor truly meet an additional need for this area (especially one requiring a SUP) or is it primarily focused on capitalization of personal property for passive income? It should also be noted that all the venues listed in Table 1 are organizations that specialize in tourism and/or hospitality management. It is our understanding that Mr. and Mrs. Wendorff’s professional expertise lacks any track record in hospitality management. **Their proposal appears more aligned with a passive income revenue stream than, as the Wendorff’s assert “[a] deepest desire to be a benefit to this extraordinary valley”.**

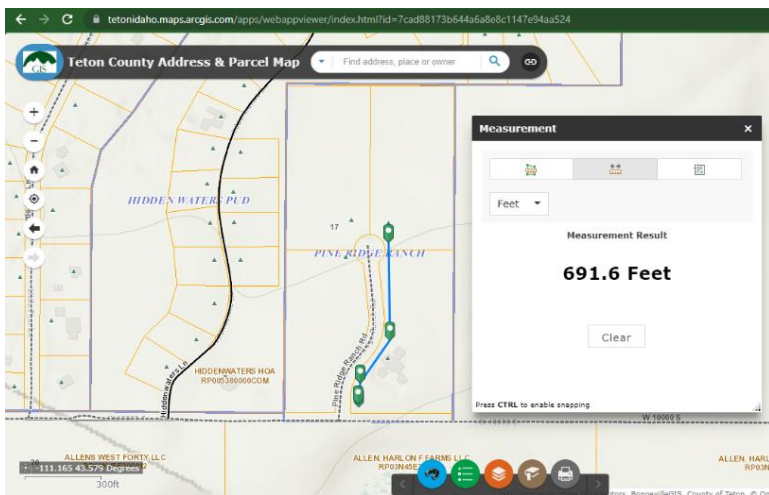
Consequently, the application fails to support many of the goals and objectives identified in the 2012-2030 Teton County Comprehensive Plan.

Given that the special use permit application falls short of meeting the criteria listed in 8-6-1, we request the Teton County Planning and Zoning Commission reject this application for a special use permit at 9885 Pine Ridge Ranch Road (Parcel# RP00060000040).

Respectfully submitted,

Michael Zolkewitz
 Michelle Kramer
 663 Peak View Estates Rd.
 Victor, ID 83455

Figure 1: Length of Pine Ridge Ranch Road



Venue	Distance (miles from Victor)	Event Capacity
Moose Creek Ranch	0	130
Bronze Buffalo Ranch	0	100
Teton Springs Resort	0	120
Linn Canyon Ranch	5	300
Old Wilson Schoolhouse	18	120
Grand Targhee Resort	20	380
Calico Italian Restaurant	20	250
Hansen Guest Ranch	23	200
Springhill Suites, Jackson	25	100
Teton Mountain Lodge	25	160
JH Mountain Resort	30	300
Jackson Hole Golf and Tennis Club	30	200
Three Peaks Lodge	30	150
River Retreat Lodge	30	50

Table 1: Event venues within 30 miles of Victor ID.