



RECEIVED
 BY: K. Rader
 DATE: 10-7-2016

MOUNTAIN LEGENDS RANCH

NAME OF SUBDIVISION/PLANNED UNIT DEVELOPMENT

CONCEPT PLAN

SUBDIVISION/PLANNED UNIT DEVELOPMENT APPLICATION

The Concept Plan Review is the first of three steps in the development process. Upon receipt of the required materials the planning staff shall stamp the application received, review the application for completeness and then schedule a Concept Review Meeting between the Applicant and the Planning Administrator or his or her designee. The application is constituted accepted upon completion of the checklist items and the review meeting with the Administrator. The Administrator will prepare a staff report for the Applicant within sixty (60) days. It is recommended that the Applicant review Titles 6, 8 and 9 of the Teton County Code prior to submittal. These Titles along with application materials are located on the County website at www.tetoncountyidaho.gov. The planning staff is also available to discuss applications and answer questions prior to receiving an application.

To expedite the review of your application, please be sure to address each of the following items.

SECTION I: PERSONAL AND PROPERTY RELATED DATA

Owner: Peacock Property LLC

Applicant: Peacock Property LLC E-mail: hstatter@firewise.net

Phone: (307) 732-3986 Mailing Address: PO Box 10586

City: Jackson State: WY Zip Code: 83002

Engineering Firm: Arrowleaf Engineering Contact Person: Sarah Johnston Phone: (307) 413-6373

Address: 55 S 5th E, Driggs ID 83422 E-mail: arrowleafengineering@gmail.com

Location and Zoning District:

Address: N Stateline Rd & N 1500 E Parcel Number: RP05N46E084500
RP05N46E078250

Section: 7 & 8 Township: 5 N Range: 46 E Total Acreage: 197.05 acres

Proposed Units/ Lots: ~~78~~ 76 Proposed Open Space Acres: ~100 acres

Proposing a Subdivision Zoning: A 2.5 A 20 Proposing a Planned Unit Development Planned Community Rural Reserve

- Latest recorded deed to the property
- Development name approved by GIS
- 10% of total base fee (see current fee schedule)
- Affidavit of Legal Interest
- Pre-application conference completed

*total fee = \$16322.00
 10% = \$1632.20*

I, the undersigned, have reviewed the attached information and found it to be correct. I also understand that the items listed below are required for my application to be considered complete and for it to be scheduled on the agenda for the Planning and Zoning Commission public hearing.

- Applicant Signature:  Date: 6/7/16
Member Hotelier Management LLC, Manager Peacock Property LLC

I, the undersigned, am the owner of the referenced property and do hereby give my permission to *Arrowhead Engineering* to be my agent and represent me in the matters of this application. I have read the attached information regarding the application and property and find it to be correct.

- Owner Signature:  Date: 6/7/16
Member Hotelier Management LLC, Manager Peacock Property LLC
Fees are non-refundable.

SECTION II: CONSIDERATION FOR APPROVAL

Please submit narrative referencing the following:

- The conformance of the subdivision/PUD with the comprehensive plan.
- The availability of public services to accommodate the proposed development.
- The conformity of the proposed development with the capital improvements plan.
- The public financial capability of supporting services for the proposed development.
- Other health, safety or general welfare concerns that may be brought to the County's attention.

SECTION III: CHECKLIST OF ITEMS REQUIRED ON THE PLAN/PLAT DOCUMENT

1. Number of Plan:

- Two (2) Plans (11" X 17" or 18" X 24") and digital copy prepared by a professional land Surveyor/Engineer

2. Items on Plan/Plat:

- Plat is labeled "Concept Master Plan" in the lower right corner
- Open space, as required
- Neighboring property boundaries and owners within 300 feet
- Date prepared and date of any revisions
- Scale of drawings
- North arrow
- Vicinity map
- Section(s), Township, Range
- Specific phase, if any, has been labeled

3. Topographical Information:

- Contour lines
- Flood hazard area, if any
- Overlay areas

4. Design Requirements:

- Total acreage
- Number of lots and size
- Street layout including width and designation of county road access with notation of approaches, if applicable, no closer than 300 feet to one another
- Existing streets and names within 200 feet
- Easements for irrigation, water, sewer, power and telephone

SECTION IV: CHECKLIST OF REQUIRED ITEMS

Please submit narrative or renderings addressing each of the following categories:

1. Water Issues:

- Description of irrigation system
- Description of culinary water system
- Water rights
- Description of waste system
- Natural drainage channels
- Storm and surface water drainage

2. Maps Required:

- Soil types
- Geographical hazards

3. Availability and capability of public services:

These topics are to be addressed in a general way. A Public Service/ Fiscal Analysis may be required at the Preliminary Plat stage, at which time these items will be addressed in detail.

- Fire protection
- Police protection
- Public road construction and maintenance
- Central water
- Central sewer
- Parks and open space
- Recreation
- Infrastructure/open space maintenance
- Schools
- Solid waste collection
- Libraries
- Hospital
- Estimate of tax revenue

4. Zone Change, if any:

- Current Zoning District
- Proposed Zoning District
- Submit completed Zone Change Application

5. Other Land Use Applications, if any:

- Scenic Corridor
- Conditional Use Permit
- Variance
- Other: _____

SECTION V: PLANNING ADMINISTRATOR/DESIGNEE REVIEW/ACTION

Application is considered complete and accepted on this the 7 day of June, ~~200~~²⁰¹⁶.

Planning Administrator/Designee Signature: _____



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 BY: K. Rader
 DATE: 6-7-2016

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To expedite the review of your application, please be sure to address each of the following items.

SECTION I: PERSONAL AND PROPERTY RELATED DATA

Owner: Peacock Property LLC

Applicant: Peacock Property LLC E-mail: hstatter@fire

Phone: (307) 732-3986 Mailing Address: PO Box 10586

City: Jackson State: WY Zip C

Engineering Firm: Arrowleaf Engineering Contact Person: Sarah Johnston Phon

Address: 55 S 5th E, Driggs ID 83422 E-mail: arrowleafenginee

Location and Zoning District:

Address: N Stateline Rd & N 1500 E Parcel Number: RP(

Section: 7 & 8 Township: 5 N Range: 46 E Total Acreage: 19

Proposed Units/ Lots: 78 Proposed Open Space Acres: ~10

Proposing a Subdivision **Proposing a Planned Unit Dev**

Zoning: A 2.5 A 20 **Planned Community** **Rural**

- Latest recorded deed to the property
- Development name approved by GIS
- 10% of total base fee (see current fee schedule)
- Affidavit of L
- Pre-application

total fee = \$16322.00
 10% = \$1632.20

1542 92-41/1241

6/7/2016

\$1632.20

Pay to the Order of Teton County

One thousand six hundred thirty-two and 20/100 Dollars

ARROWLEAF ENGINEERING, PC
 55 South 5th East
 Driggs, ID 83422
 307-413-6373

Bank of Commerce
 Driggs Office
 PO Box 787
 Driggs, ID 83422

S. Johnston

MOUNTAIN LEGENDS RANCH SUBDIVISION PROJECT NARRATIVE

Teton County, ID

June 21, 2016

PREPARED FOR:

Peacock Property LLC
PO Box 10586
Jackson, WY 83002

PREPARED BY:



INTRODUCTION

The Mountain Legends Ranch Subdivision is a proposed residential subdivision in Teton County, Idaho. The site is approximately 197 acres and is comprised of two parcels of land connected by an access easement across the interlaying property. Access to the subdivision is from Stateline Road and County Road N1500E / Grand Teton Road. The site is zoned A/RR-2.5; the proposed development consists of 76 residential lots with a minimum lot size of 2.5 acres.

PROJECT COMPONENTS

Access & Circulation

The development will be accessed via North Stateline Road and County Road N1500E / Grand Teton Road. Lots within the subdivision will be served by an internal private roadway network. All roads within the subdivision will be constructed to Teton County street guidelines for local roads. Maintenance and plowing of the subdivision roads will be the responsibility of the Mountain Legends Ranch Subdivision Homeowner's Association.

Setbacks & Building Envelopes

In all cases, building setbacks will comply with the minimum setbacks required by Teton County. Building envelopes, which often exceed the minimum setback requirements, are being implemented in the subdivision covenants, conditions, and restrictions (CCR) to further limit the location of future buildings.

Open Space and Density

There is no requirement for open space in the A/RR-2.5 zoning district. Moreover, the proposed development will provide for an open space easement in the CCR. The open space will be reserved for agriculture, wildlife habitat, and pedestrian use. The following table shows density of Mountain Legends Ranch and surrounding development.

<i>Subdivision</i>	<i>Total Acreage</i>	<i>Total Lots</i>	<i>Lots Per Acre</i>
<i>Alta Vista I</i>	<i>16.55</i>	<i>11</i>	<i>0.66</i>
<i>Alta Vista II</i>	<i>29.28</i>	<i>15</i>	<i>0.51</i>
Total Alta Vista	45.83	26	0.57
<i>Bear Creek</i>	<i>5.4</i>	<i>3</i>	<i>0.56</i>
<i>Bear Creek Estates Block 1</i>	<i>19.39</i>	<i>10</i>	<i>0.52</i>
Total Bear Creek	24.79	13	0.52
Saddlehorn Ranch	250.31	122	0.49
Mountain Legends Ranch	197.05	76	0.39
Teewinot	246.72	85	0.34
Bridger Ridge Mini Subdivision	21.14	2	0.09

Irrigation Water

The proposed development property has three water rights:

- 1) Idaho Water Right 22-13684 – Priority Date 1894 for .56 cfs in the name of Peacock Property LLC
- 2) Idaho Water Right 22-13685 – Priority Date 1908 for 2.23 cfs in the name of Peacock Property LLC
- 3) Idaho Water Right 22-13327 – Priority Date 1892 for 17.23 cfs in the name of the Grand Teton Pipeline Association. Peacock Property LLC owns 80 shares in the association.

Domestic Water

Domestic water will be provided by individual wells on each lot. Installation, maintenance, and permitting of domestic wells will be the responsibility of individual lot owners.

Stormwater

During initial construction appropriate erosion control measures and best practices will be used to minimize erosion and pollution. The proposed development maintains the natural drainage patterns of the site to the maximum extent practicable. The predominant natural drainage channel on the site is a dry swale running from east to west. A detailed Stormwater Management Plan will be prepared and submitted with the Preliminary Plat Application.

Wastewater

Wastewater treatment will be accomplished using a small individual septic system on each lot. The septic systems must be designed, constructed, and maintained in accordance with Eastern Idaho Public Health standards. Permitting, construction, and maintenance of septic systems will be the responsibility of individual lot owners.

Fire Protection

A fire pond with a dry hydrant will be provided in a central location. The fire pond and dry hydrant will be constructed with the first phase of the development.

CONFORMANCE WITH THE COMPREHENSIVE PLAN

The Mountain Legends Ranch Subdivision is located in what the Comprehensive Plan determines to be a “neighborhood” area. The Comprehensive Plan identifies two main types of land uses, one type is “neighborhood” and the other is “rural”. The neighborhood areas “are appropriate for varying degrees of residential, commercial, and light industrial development”. The Comprehensive Plan identifies three types of neighborhood areas: Town Neighborhood, Industrial/Research, and Rural Neighborhood. The Mountain Legends Ranch Subdivision is located in an area that the Comprehensive Plan Framework Map identifies as being Rural Neighborhood. In contrast, rural areas “are located further from the towns or in places of greater sensitivity” and are less appropriate for residential development.

Rural Neighborhood Desired Characteristics

- *A transitional character in between that of Town Neighborhoods and Rural Areas*
The density and character of the proposed subdivision provides this desired transition.
- *Medium density single family neighborhoods with large open spaces and provisions for clustering*
The proposed subdivision is a medium density single family neighborhood with extensive open space easement areas.
- *Amenity-based neighborhoods*
The proposed development is located approximately 5 miles from Driggs, 2 miles from Alta and Ski Hill Road, and 10 miles from Grand Targhee.
- *Safe and convenient street and pathway connections within these areas and, when practical, to Towns*
The proposed subdivision provides safe and convenient internal circulation.
- *Well-defined open space areas that connect to provide corridors*
The proposal includes significant open space easement areas. Unfortunately, adjacent subdivisions do not have open spaces to connect to.
- *A clear distinction between residential development and open space/agricultural areas*
The proposed subdivision contains agricultural open space easement areas. The CCR will clearly delineate and define the buildable areas and the open space easement.

Goal ED 1: Develop a coordinated and collaborative economic development strategy that encourages, promotes and supports locally-owned businesses and creates a hospitable and attractive environment for businesses and tourists.

This policy is not applicable.

Goal ED 2: Preserve our rural character and heritage and promote local agricultural industries.
The proposed development includes functional agricultural open space easement areas to foster rural character and promote local agriculture.

2.1 Encourage development and land use proposals that support prime economic values of rural character and heritage.

This proposed development uses rural character and open space to maximize economic value.

2.2 Promote local agricultural industries and businesses.

This proposal incorporates farming into the development itself. The residences within the development are located near the main thoroughfare between Town and Resort; this proximity provides housing opportunities and convenient access to existing amenities and businesses.

2.3 Promote smart growth strategies that help preserve rural character by enhancing existing communities and directing development towards them.

This proposal is in keeping with the existing neighborhoods surrounding the site. This proposal has similar or lower density than several nearby subdivisions. The existing community or “rural neighborhood” will be enhanced by this development and its incorporation of open space.

2.4 *Encourage and attract businesses that are economically and environmentally friendly, and promote stewardship and accountability in business.*
This policy is not applicable.

2.5 *Encourage development that adheres to environmental standards.*
This development adheres to environmental standards and best practices.

2.6 *Encourage policies and resources which enable farms to adapt to changing paradigms.*
This development enables farms to adapt to a changing paradigm by preserving farmable land in the subdivision open space.

Goal ED 3: *Recognize that tourism and lifestyle are fundamental components of our economy and are dependent on healthy natural resources.*
This development site was chosen because it does not contain unique natural resources. There are NO natural resource overlays on the property.

3.1. *Encourage economic development through the promotion of recreational opportunities and natural resources.*
The development’s open space provides pedestrian recreation opportunities for residents. The development promotes the protection of natural resources by providing housing opportunities in an area outside the mapped Natural Resource Overlays.

3.2. *Conserve Teton County’s natural resources in order to enhance economic development.*
There are no unique or sensitive natural resources on the site.

Goal ED 4: *Accommodate additional population by supporting development that is economically responsible to the County and the community.*
This development provides housing opportunities and is economically responsible.

4.1 *Assess the public service requirements of new developments and weigh their off-site impacts against projected changes in revenue before approving new developments.*
A detailed Fiscal Impact Analysis will be prepared and submitted with the Preliminary Plat Application.

4.2 *Support local retail by placing adequate residential density in close proximity to businesses.*

The proposed development is located approximately 5 miles from Driggs, 2 miles from Alta, and 10 miles from Grand Targhee.

- 4.3 *Consider the economic impact of supply and demand in residential development.*
There is an often-touted excess of lots in Teton County; however, many of the referenced lots are unbuildable due to non-compliance with development agreements or are non-practical for building due to unnecessarily large minimum square footage or other CCR requirements. The market indicates there is demand for the proposed lots.
- 4.4 *Utilize a variety of regulatory and incentive-based tools to reduce density in sensitive areas and encourage density in areas where services exist.*
The proposed development is not located in a sensitive area. The proposed density is comparable to that of other neighborhood-type developments in the area.
- 4.5 *Limit commercial retail business to Driggs, Victor and Teton.*
The proposal supports this policy; there are no commercial retail uses proposed in the development.
- 4.6 *Provide a variety of housing types that are accessible to a socially and economically diverse population.*
The proposal supports this policy by allowing smaller homes than many existing subdivisions in rural neighborhoods.
- 4.7 *Encourage creative economic solutions such as live-work opportunities and appropriate home businesses.*
This policy is applicable to planning policy, but is not applicable to this proposal.
- 4.8 *Encourage the development of low-density, high-quality neighborhoods adjacent to existing cities.*
This development is located in the Rural Neighborhood area of the Framework Map due to its proximity to Driggs and the established land use pattern in the area.
- 4.9 *Maintain rural areas that encourage farming and ranching and support low density residential development.*
The development incorporates agricultural open space that will help foster the rural character of the site and allow continued farming.
- Goal ED 5: *Support the development of a communications Master Plan.*
This policy is not applicable.
- Goal T 1: *Provide well-maintained transportation infrastructure including roads, paved pathways and sidewalks.*
The HOA will maintain all subdivision infrastructure including roads.

- 1.1 *Improve the conditions and safety for vehicles, bicycles and pedestrians of existing transportation infrastructure, especially roads important for agriculture.*
This policy is not applicable.
- 1.2 *Identify and implement financing mechanisms to pay for needed transportation maintenance and improvements.*
This policy is not applicable.
- 1.3 *New development will provide adequate transportation facilities to accommodate needed services.*
A Traffic Impact Study will be completed and submitted with the Preliminary Plat Application.
- 1.4 *Adopt a variety of design standards for all transportation infrastructure.*
This policy is not applicable.
- 1.5 *Provide/promote off-road transportation corridors to and from Public Lands suitable for both motorized and non-motorized vehicles.*
The proposed development is not adjacent to Public Lands.
- 1.6 *Educate and inform the public regarding transportation goals, costs and benefits; road construction and maintenance; and plowing schedules and policies.*
This policy is not applicable.
- 1.7 *When key infrastructure (roads, bridges, pathways, etc) is damaged or destroyed by naturally occurring events, including deterioration due to age and use, it should be replaced within as short a timeframe as feasible to avoid disruption of service to the public.*
This policy is not applicable.
- Goal T 2: *Create convenient, safe, timely, financially sustainable and efficient options for multi-modal* transportation that satisfies a multitude of needs.*
This policy is not applicable.
- Goal T 3: *Provide a well-connected transportation network within Teton Valley and within the region.*
This policy is not applicable.
- Goal T 4: *Develop transportation appropriate for a rural community, respectful of the unique character of Teton Valley.*
This policy is not applicable.
- Goal T 5: *Support continued improvements to the Driggs Memorial Airport to support Teton County's aviation needs.*
This policy is not applicable.

Goal NROR 1: Conserve our public lands, trail systems, and natural resources (air, water, wildlife, fisheries, wetlands, dark skies, viewsheds, soundscape, soils, open space, native vegetation).

The proposed development uses easements and building envelopes to conserve open space. Building envelopes are proposed to enhance the quality of meaningful farmable ground, as well as to further protect views. The site has been farmed with a palette of native and agricultural vegetation; the current perennial hay mix used on the site is a mix of native and non-native species with commercial and forage value. There are no unique or sensitive natural resources on the site. There are no trail systems in the area. Public Lands are not affected by the proposal.

Goal NROR 2: Enhance and preserve access to public lands and recognize the need to accommodate different user groups in a way that minimizes user conflict and damage to natural resources.

There are no Public Lands adjacent to the site; this policy is not applicable.

Goal NROR 3: Provide and promote exceptional recreational opportunities for all types of users (including but not limited to biking, skiing, fishing, off-highway vehicle use, target practice, hunting, trail users, equestrians, boating, non-motorized flight) as a means for economic development and enhanced quality of life.

This policy is not applicable.

Goal NROR 4: Balance private property rights and protection of our natural resources.

4.1 Ensure that development regulations balance natural resources protection, viewshed protection and growth, are clear and predictable, and preserve the economic value of the land.

The proposed development provides a balance of housing opportunities and agricultural open space in a way that preserves the economic value of the land.

Goal NROR 5: Recognize, respect and/or mitigate natural hazards, including but not limited to flooding, earthquakes, landslides, radon and fires.

The site is not located in a high-hazard area.

Goal NROR 6: Promote natural resource protection by a variety of means including financial compensation for willing buyer/willing seller agreements that promote open space acquisition and land and water easements.

This development is voluntarily including open space easements.

Goal NROR 7: On public lands and accesses, balance recreation with protection of natural resources.

This policy is not applicable.

Goal NROR 8: Respect sensitive habitat and migration areas for wildlife.

The site does not have any migration corridors or sensitive areas.

Goal CEF 1: Provide high-quality public and private services and facilities in a coordinated manner for the health, safety, and enjoyment of the community.

This policy is not applicable.

Goal CEF 2: Encourage the development and support of high-quality education facilities (primary, secondary and post-secondary) and diverse and affordable activities for all ages.

This policy is not applicable.

Goal CEF 3: Encourage an environment that fosters community involvement.

This policy is not applicable.

Goal CEF 4: Adequately fund existing and future public services and facilities.

This policy is not applicable.

Goal ARH 1: Preserve and enhance Teton Valley's small town feel, rural heritage and distinctive identity.

1.1 Ensure that planned growth maintains Teton Valley's rural character.

The development is maintaining the rural character of the area by implementing agricultural open space easements, while also providing moderate residential density where residential density has been identified as a community value.

1.2 Encourage vacation of subdivision plats where appropriate and viable.

This policy is not applicable.

1.3 Ensure that open spaces are managed responsibly.

The CCR will include language that will make management of the open space easements the responsibility of the HOA.

1.4 Maintain the County's rural heritage through the scenic corridors.

The site is not in a scenic corridor; this policy is not applicable.

1.5 Support the preservation of open space, farmland, natural beauty, and critical environmental areas.

The development is using open space easements to help promote farmland and natural beauty on the site. There are no critical environmental areas on the site.

1.6 Encourage higher density development in the cities of Driggs, Victor, and Teton.

The density of this proposal is consistent with the vision of the Comprehensive Plan for this area.

Goal ARH 2: Balance property rights and rural character.

This development provides residential housing opportunities and preserves the rural neighborhood character of the area.

Goal ARH 3: Support and enhance agriculture and ranching.

This proposal supports agriculture by using agricultural open space easements.

Goal ARH 4: Respect cultural heritage sites.

This policy is not applicable.

Goal ARH 5: Reduce infestation/introduction of invasive species.

Control of invasive species will be addressed in the CCR.

AVAILABILITY AND CAPACITY OF PUBLIC SERVICES

Public water and sewer systems are not available to serve the proposed development; the subdivision will utilize private well and onsite septic systems. Fire protection in this area is provided by Teton County Fire & Rescue. Law enforcement is provided by the Teton County Sheriff. The area is served by the Teton School District 401. Solid waste collection is available from RAD Curbside. The nearest hospital is the Teton Valley Hospital, and emergency response is provided by the Teton County Ambulance Service District.

A detailed Fiscal Impact Analysis will be prepared and submitted with the Preliminary Plat Application.

CONFORMANCE WITH THE CAPITAL IMPROVEMENTS PLAN

The Capital Improvements Plan assumes an average density of 50-80 units per 100 acres for the area of the proposed subdivision. The density of the proposed development is 38.6 units per 100 acres. The proposed density is significantly less than the density assumed for this area in the Capital Improvements Plan.

All required Development Impact Fees will be paid in accordance with the Teton County Capital Improvement Plan in effect at the time of building permit issuance.

OTHER HEALTH, SAFETY, OR GENERAL WELFARE CONCERNS

There are no FEMA Special Flood Hazard Areas (SFHA) mapped on the site. There is no surface water on the site. The site is not located in a Natural Resource Overlay. No critical habitat areas are known or mapped on the subject site. The site is mapped as “Class 1: Low Liquefaction Susceptibility”, the lowest risk of three categories relating to earthquake hazard.

181457

RECEIVED

OCT 18 2006

TETON CO., ID.
CLERK RECORDER

File Number: 50383

RECORDING REQUESTED BY:
Teton County Title

AND WHEN RECORDED MAIL TO:
Teton County Title
PO Box 338
Victor, ID 83455

WARRANTY DEED

FOR VALUE RECEIVED

The Bank of Commerce, Trustee for the Joseph W. Peacock & Claudia W. Peacock Trusts

the Grantor, hereby grants, bargains, sells, conveys and warrants unto

Peacock Property, LLC, A Delaware limited liability company

the grantee, whose current address is **PO Box 10586, Jackson, WY 83002**

the following described premises, to wit:

The North 1/2 of the Southeast 1/4 of Section 7, Township 5 North, Range 46 East of the Boise Meridian, Teton County, Idaho

Together with all water rights appurtenant to and associated with the above-described property, including all shares in the Grand Teton Pipeline Association held by Grantor.

Subject to: all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations of record, and payment of accruing taxes and assessments as agreed to by parties above.

SUBJECT TO: Current General Taxes, a lien in the process of assessment, not yet due or payable. Easements, restrictions, reservations, provisions of record, and assessments, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises, that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: October 17, 2006

The Bank of Commerce, Trustee for the Joseph W. Peacock Trust & Trustee of the Joseph W. Peacock and Claudia W. Peacock Trusts

Wanda Garbin

Instrument # 181457

DRIGGS, TETON, IDAHO
2006-10-18 04:48:44 No. of Pages: 2
Recorded for: TETON COUNTY TITLE
NOLAN G. BOYLE Fee: 6.00
Ex-Officio Recorder Deputy *N. Boyle*

File Number: 50383 Teton County Title, LLC
Warranty Deed - Trust
Page 1 of 2

181457

File Number: 20283

STATE OF Idaho)
) ss.
COUNTY OF Bonneville)

On this 17th day of October, 2006, before me, the undersigned, a Notary Public, in and for said State, personally appeared Sharla Galbraith, known to me and/or identified to me on the basis of satisfactory evidence, to be the Vice-President and Trust Department Manager of the Bank of Commerce, whose name is subscribed to the within instrument on behalf of The Bank of Commerce, Trustee of the Joseph W. Peacock and Claudia W. Peacock Trusts and acknowledged to me that she executed the same.
WITNESS MY HAND AND OFFICIAL SEAL.

Jeanna Clayson
Notary Public
Residing at: *Idaho Falls, ID*
My commission expires: *09-08-09*



181457

180623

File Number: 50383

RECORDING REQUESTED BY:
Teton County Title

AND WHEN RECORDED MAIL TO:
Teton County Title
PO Box 338
Victor, ID 83455

Instrument # 180623

DRIGGS, TETON, IDAHO
2006-09-22 03:48:10 No. of Pages: 2

Recorded for : TETON TITLE

NOLAN G. BOYLE Fee: 6.00
Ex-Officio Recorder Deputy
Index to DEED, WARRANTY



WARRANTY DEED

FOR VALUE RECEIVED

The Bank of Commerce, Trustee for the Joseph W. Peacock Trust and as Trustee
Of the Joseph W. Peacock and Claudia W. Peacock Trust

the Grantor, hereby grants, bargains, sells, conveys and warrants unto

Peacock Property, LLC, a Delaware Limited Liability Company

the grantee, whose current address is P.O. Box 10586 Jackson, Wy 83001

the following described premises, to wit:

See attached exhibit "A"

Subject to: all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations of record, and payment of accruing taxes and assessments as agreed to by parties above.

SUBJECT TO: Current General Taxes, a lien in the process of assessment, not yet due or payable. Easements, restrictions, reservations, provisions of record, and assessments, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises, that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: September 21, 2006

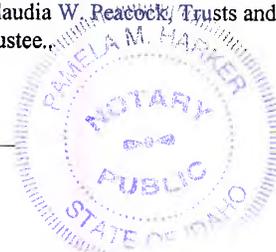
The Bank Of Commerce, Trustee for the Joseph W. Peacock Trust and
As Trustee of the Joseph W. Peacock and Claudia W. Peacock Trust

STATE OF Idaho)
) ss.
COUNTY OF Bonneville)

On this 22 day of September, 2006 before me, the undersigned, a Notary Public, in and for said State, personally appeared Sharla Galbraith, known to me, and/or identified to me on the basis of satisfactory evidence, to be the Vice-President and Trust Department Manager of the Bank Of Commerce, whose name is subscribed to the within instrument on behalf of The Bank Of Commerce, Trustee of Joseph W. Peacock and Claudia W. Peacock, Trusts and acknowledged to me that she executed the same as trustee.

WITNESS MY HAND AND OFFICIAL SEAL.

Notary Public
Resides at: Tetonua, id
My commission expires: 01-23-2007



180623

EXHIBIT "A"

A portion of Section 8, Township 5 North, Range 46 East of the Boise Meridian, Teton County, Idaho, being more particularly described as follows:

Commencing at the NE corner of said Section 8;
 thence S 00° 06' 34" E along the East line of said Section 8, also being the state line between Idaho and Wyoming, a distance of 845.12 Feet;
 thence N 89° 50' 38" W along the South Boundary of that Parcel of land identified as Tax No. 3236 in the Records of said Teton County a distance of 623.20 Feet to a found ½ inch Rebar being the POINT OF BEGINNING;
 thence along the boundary of Prime and Griggs parcels as identified at Tax No. 3015 and at Instrument No. 107904 in said Teton County Records for the following two courses:
 1.) S 00° 06' 34" E a distance of 1397.61 Feet;
 2.) S 89° 47' 03" E a distance of 623.30 Feet;
 thence S 00° 06' 34" E along east line of Section 8 a distance of 60.01 Feet;
 thence N 89° 47' 03" W a distance of 2405.10 Feet to a ½ inch Rebar with plastic cap bearing the PLS No. 5717;
 thence N 89° 47' 12" W a distance of 1315.76 Feet;
 thence N 00° 03' 32" W along the West line of said Section 8 a distance of 975.27 Feet to the NW corner of the SW ¼ NW ¼ of said Section 8, being a 5/8 inch Rebar with aluminum cap bearing the PLS No. 2860;
 thence N 00° 07' 11" W along said West line of Section 8 a distance of 230.54 Feet to a ½ inch Rebar with plastic cap bearing said PLS No. 5717;
 thence S 89° 49' 02" E a distance of 1316.06 Feet to a ½ inch Rebar with plastic cap bearing said PLS No. 5717;
 thence N 00° 04' 17" W a distance of 249.26 Feet to a point, from which the NW corner of the NE ¼ NW ¼ of said Section 8 bears N 00° 04' 17" W 843.86 Feet distant;
 thence S 89° 50' 38" E along the South boundary of said parcel identified as Tax No. 3236 a distance of 1780.60 Feet to the POINT OF BEGINNING.

File Number: 50531

EXHIBIT "A"

Parcel 1:

Commence at the Northeast Corner of Section 8, Township 5 North Range 46 East, Boise, Meridian, Teton County, Idaho;
Thence South 0 degrees 11' 34" West along the East line of said Section 1544.25 feet to the point of beginning; thence Continue South 0 degrees 11' 34" West along said East line 699.12 feet;
thence North 89 degrees 28' 34" West, 623.20 feet;
thence North 0 degrees 11' 34" East, 698.85 feet;
thence South 89 degrees 30' 05" East, 623.20 feet to the point of beginning.

Parcel 2:

Commencing at the Northeast corner of said Section 8, Township 5 North, Range 46 East, Boise Meridian, Teton County, Idaho;
Thence South 0 degrees 11' 34" West along "the Easterly line of said Section 845.12 feet to the, true point of beginning;
thence continue South 0 degrees 11' 34" West along said easterly line 699.13 feet;
thence North 89 degrees 30' 05" West, 623.20 feet; thence North 0 degrees 11' 34" East, 698.85 feet;
thence South 89 degrees 31' 37" East 623.20 feet to the point of beginning.

180626

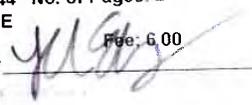
File Number: 50531

180625

RECORDING REQUESTED BY:
Teton County Title

AND WHEN RECORDED MAIL TO:
Teton County Title
PO Box 338
Victor, ID 83455

Instrument # 180625
DRIGGS, TETON, IDAHO
2006-09-22 03:54:44 No. of Pages: 2
Recorded for : TETON TITLE
NOLAN G. BOYLE Fee: 6.00
Ex-Officio Recorder Deputy
Index to: DEED, WARRANTY



WARRANTY DEED

FOR VALUE RECEIVED

Neil R. Griggs & Virginia Griggs, Husband and Wife ;

GRANTOR(S), hereby grants, bargains, sells, conveys and warrants unto
Peacock Property LLC, A Delaware limited liability company

GRANTEE(S), whose current address is: **P.O. Box 10586, Jackson, WY 83001**

the following described premises, to wit:

See "Exhibit A" attached hereto
And as relinquished property in an I.R.C. 1031 Tax Deferred Exchange

Subject to: all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations of record, and payment of accruing taxes and assessments as agreed to by parties above.

File Number: 50531

EXHIBIT "A"

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Commence at the Northeast Corner of Section 8, Township 5 North Range 46 East, Boise, Meridian, Teton County, Idaho;

Thence South 0 degrees 11' 34" West along the East line of said Section 1544.25 feet to the point of beginning; thence Continue South 0 degrees 11' 34" West along said East line 699.12 feet; thence North 89 degrees 28' 34" West, 623.20 feet; thence North 0 degrees 11' 34" East, 698.85 feet; thence South 89 degrees 30' 05" East, 623.20 feet to the point of beginning.

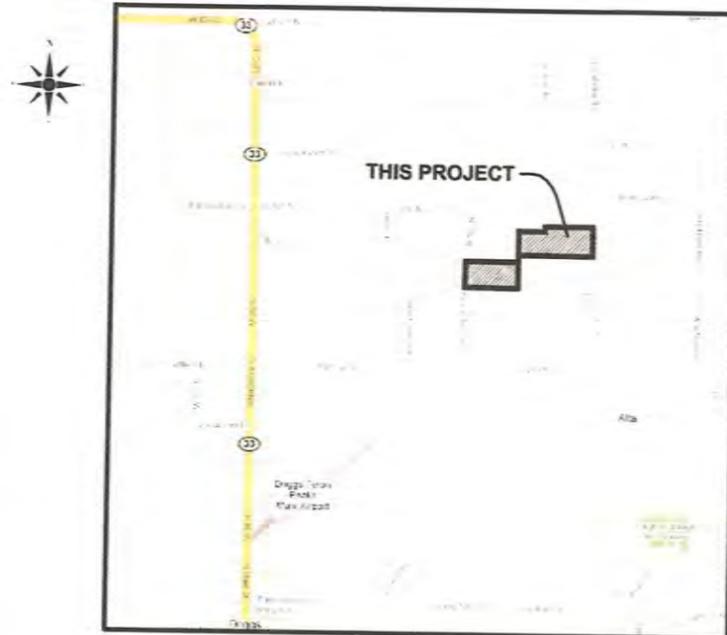
Parcel 2:

Commencing at the Northeast corner of said Section 8, Township 5 North, Range 46 East, Boise Meridian, Teton County, Idaho;

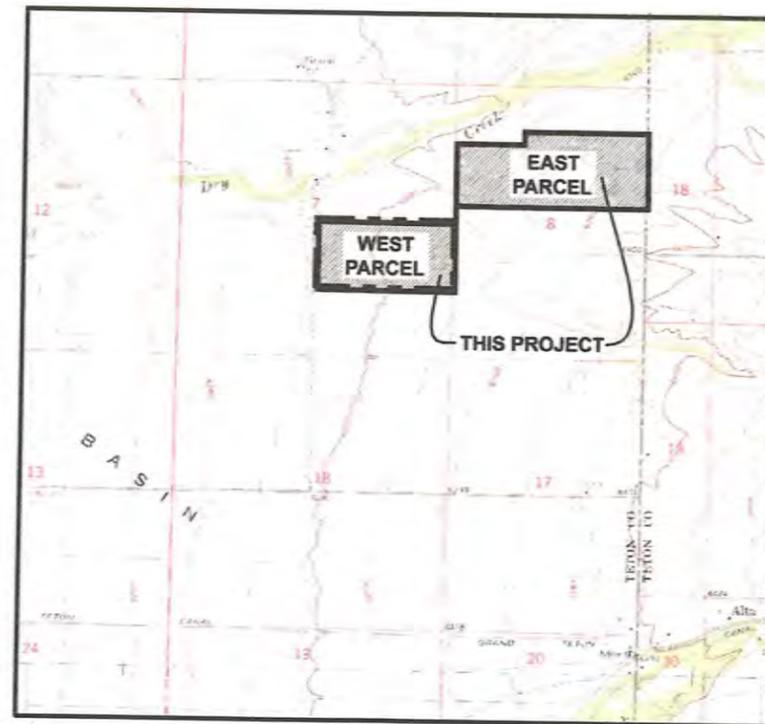
Thence South 0 degrees 11' 34" West along "the Easterly line of said Section 845.12 feet to the, true point of beginning; thence continue South 0 degrees 11' 34" West along said easterly line 699.13 feet; thence North 89 degrees 30' 05" West, 623.20 feet; thence North 0 degrees 11' 34" East, 698.85 feet; thence South 89 degrees 31' 37" East 623.20 feet to the point of beginning.

MOUNTAIN LEGENDS RANCH SUBDIVISION CONCEPT MASTER PLAN

LOCATED WITHIN SECTIONS 7 & 8, TOWNSHIP
5 NORTH, RANGE 46 EAST, BOISE MERIDIAN



VICINITY MAP
NOT TO SCALE



LOCATION MAP
NOT TO SCALE

INDEX OF SHEETS

- C101 COVER & VICINITY MAP
- C201 EXISTING CONDITIONS
- C301 OVERVIEW

SITE DATA

GROSS SITE AREA: 197.05 AC
 ZONING DISTRICT: A/RR-2.5
 TOTAL LOTS: 76
 DENSITY: 0.39 LOTS/AC
 INDIVIDUAL PRIVATE SEPTIC SYSTEMS FOR ALL LOTS.
 INDIVIDUAL PRIVATE WELLS FOR ALL LOTS.

Received on: 6-21-16 By: KMR

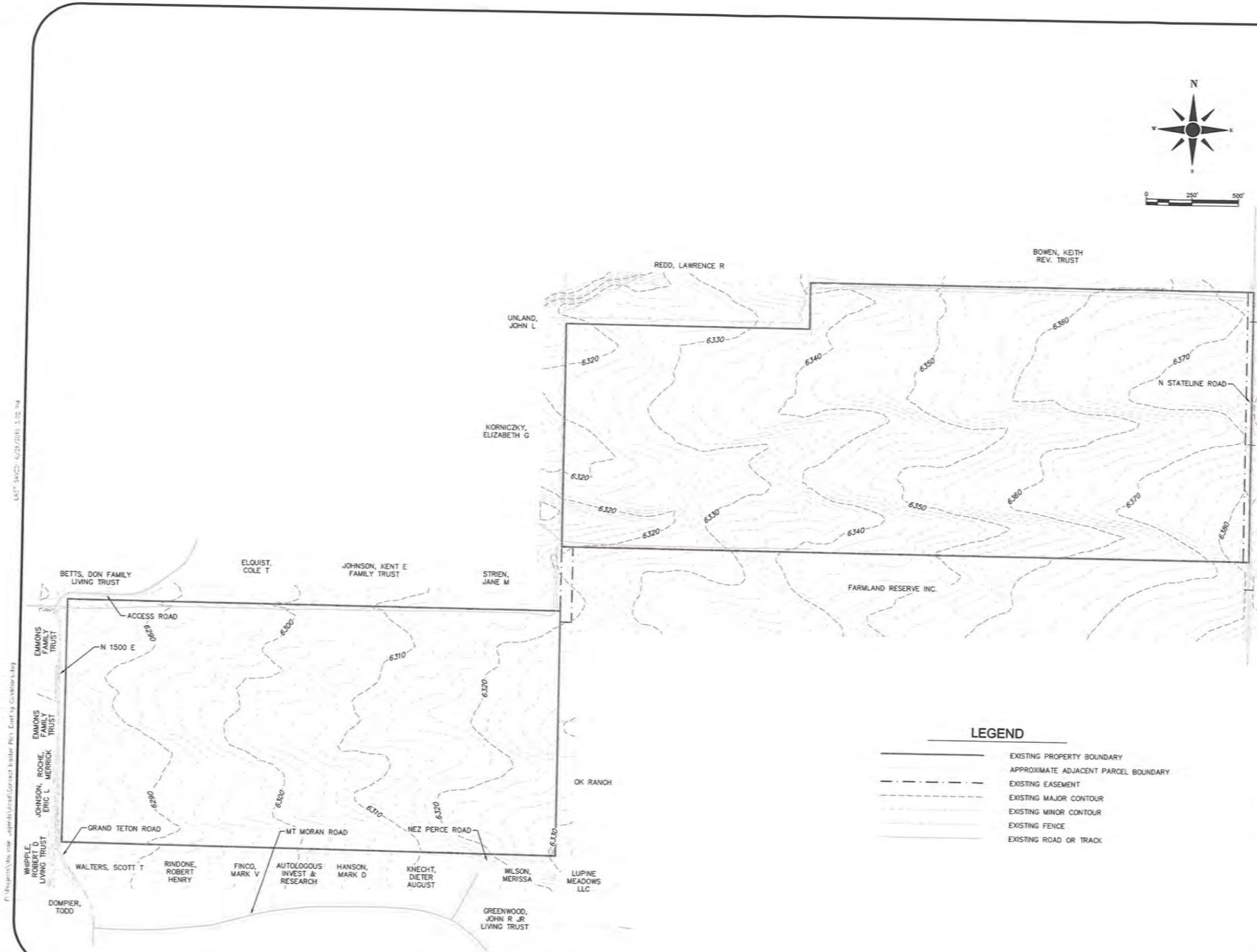
Draft # 2 Supersedes previous Y N

Submitted to BoCC or PZC Hearing

Hearing Date: 7-12-16

JUNE 21, 2016





- Notes
1. THERE ARE NO FEMA SPECIAL FLOOD HAZARD AREAS ON THE SITE.
 2. THE SITE IS NOT LOCATED IN A NATURAL RESOURCE OVERLAY AREA.

No.	Revision/Issue	Date
1	Concept Review	6-21-16

Project Name and Address
 MOUNTAIN LEGENDS RANCH
 NORTH STATELINE ROAD
 TETON COUNTY, ID
 CONCEPT MASTER PLAN
 EXISTING CONDITIONS

Project MT LEGENDS	Sheet C201
Date 6/21/2016	
Drawn By SLJ	

LEGEND

- EXISTING PROPERTY BOUNDARY
- - - APPROXIMATE ADJACENT PARCEL BOUNDARY
- - - EXISTING EASEMENT
- - - EXISTING MAJOR CONTOUR
- - - EXISTING MINOR CONTOUR
- - - EXISTING FENCE
- - - EXISTING ROAD OR TRACK

LAST SAVE: 6/21/2016 1:05:34

F:\Projects\16a.mxd - Arrowleaf\Concept Master Plan - Existing Conditions.dwg

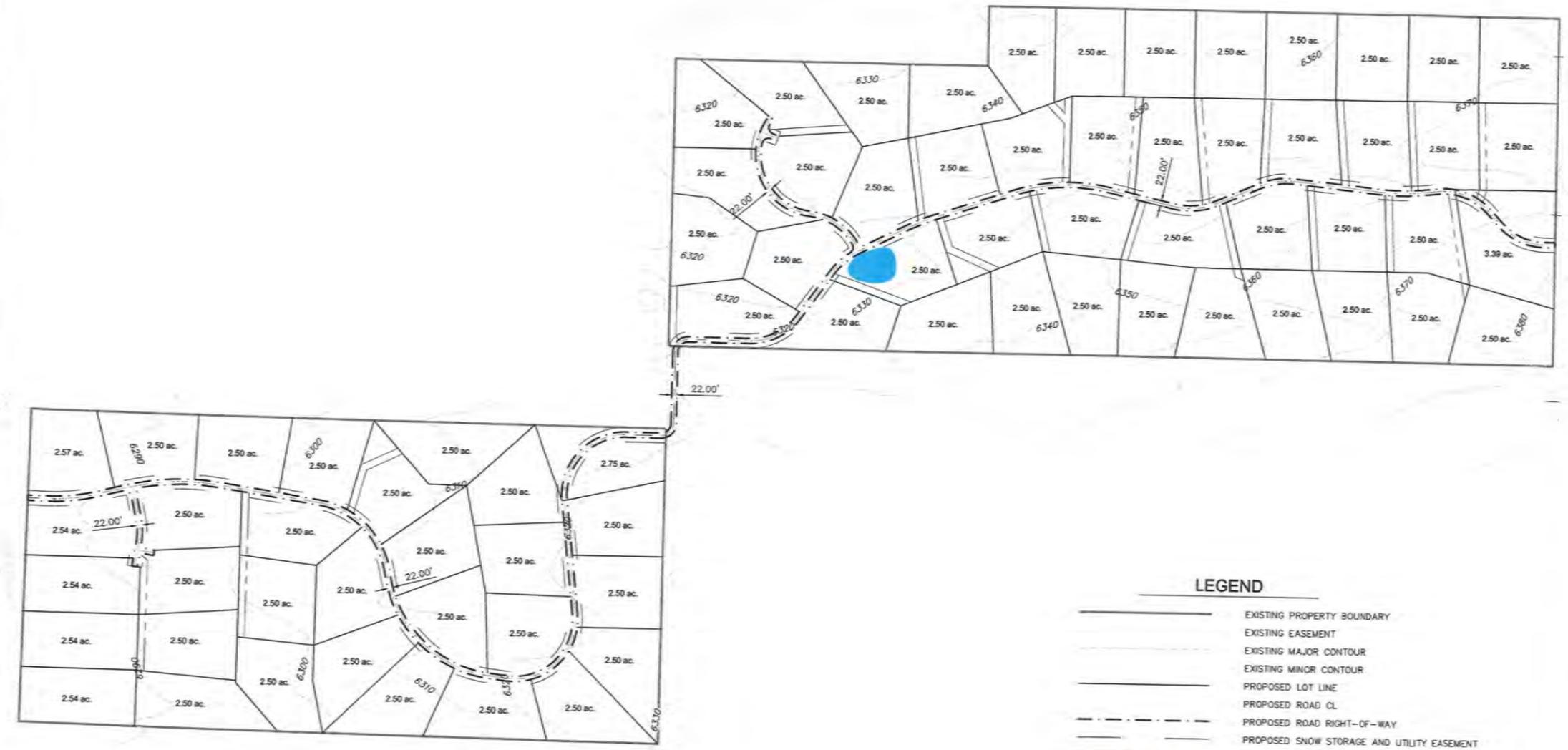
L:\4759025-6/21/16\10_23674

P:\Projects\10a_sar_springs\concepts\Master Plan\046792\Drawings



Notes

1. THE LOT AREAS SHOWN DO NOT INCLUDE AREAS ENCUMBERED BY ROADWAY RIGHT-OF-WAY.
2. ALL SUBDIVISION ROADS ARE 22 FEET WIDE.



LEGEND

- EXISTING PROPERTY BOUNDARY
- EXISTING EASEMENT
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- PROPOSED LOT LINE
- PROPOSED ROAD CL
- PROPOSED ROAD RIGHT-OF-WAY
- PROPOSED SNOW STORAGE AND UTILITY EASEMENT
- PROPOSED DRIVEWAY AND GRADING EASEMENT
- PROPOSED FIRE POND

No.	Revision/Issue	Date
1	Concept Review	6-21-16

Project Name and Address
 MOUNTAIN LEGENDS RANCH
 NORTH STATELINE ROAD
 TETON COUNTY, ID

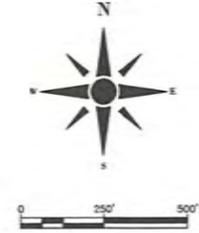
CONCEPT MASTER PLAN
 OVERVIEW

Project	MT LEGENDS	Sheet	C301
Date	6/21/2016		
Drawn By	SLJ		

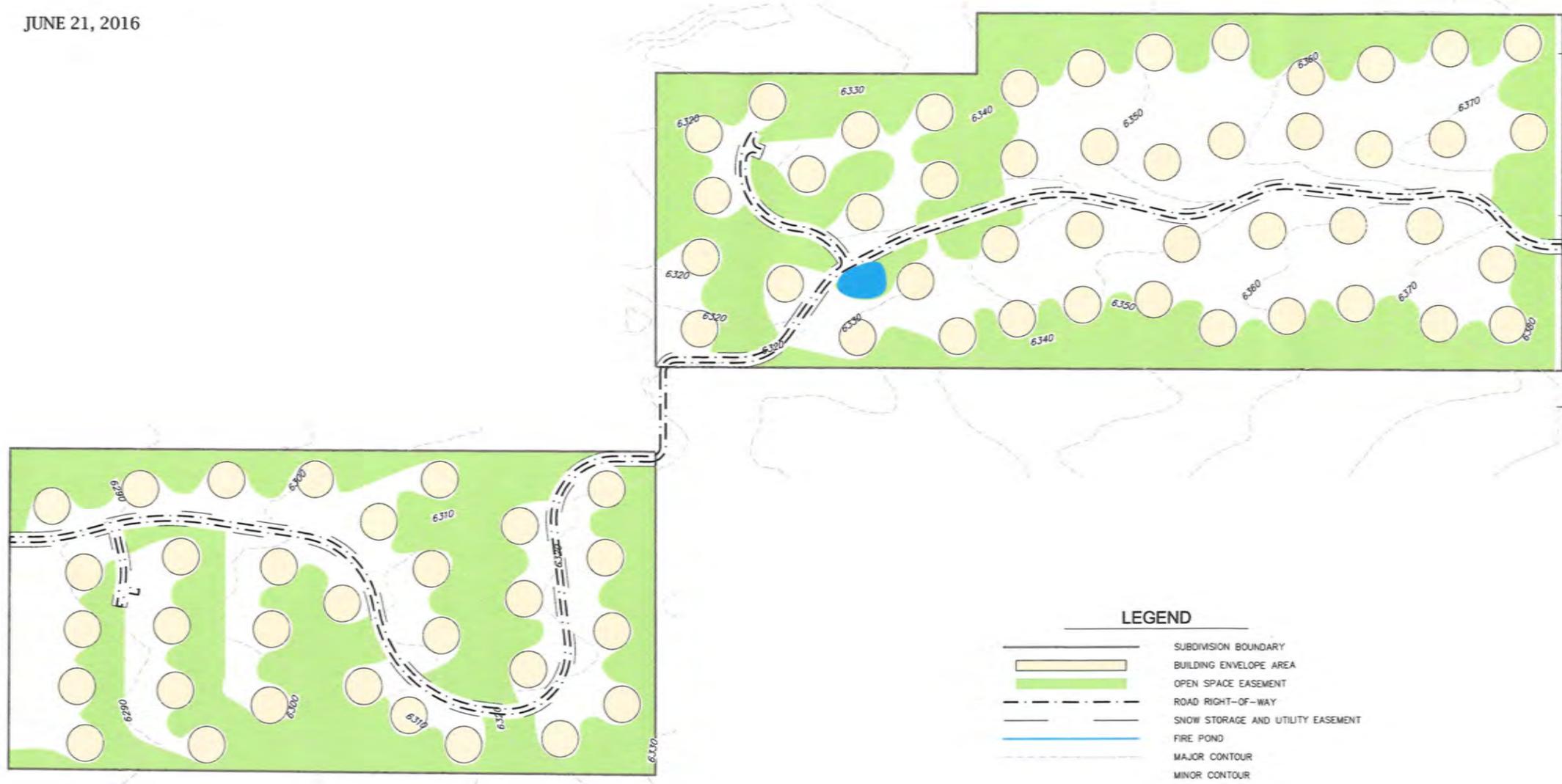
EXHIBIT _

TO MOUNTAIN LEGENDS RANCH CCR

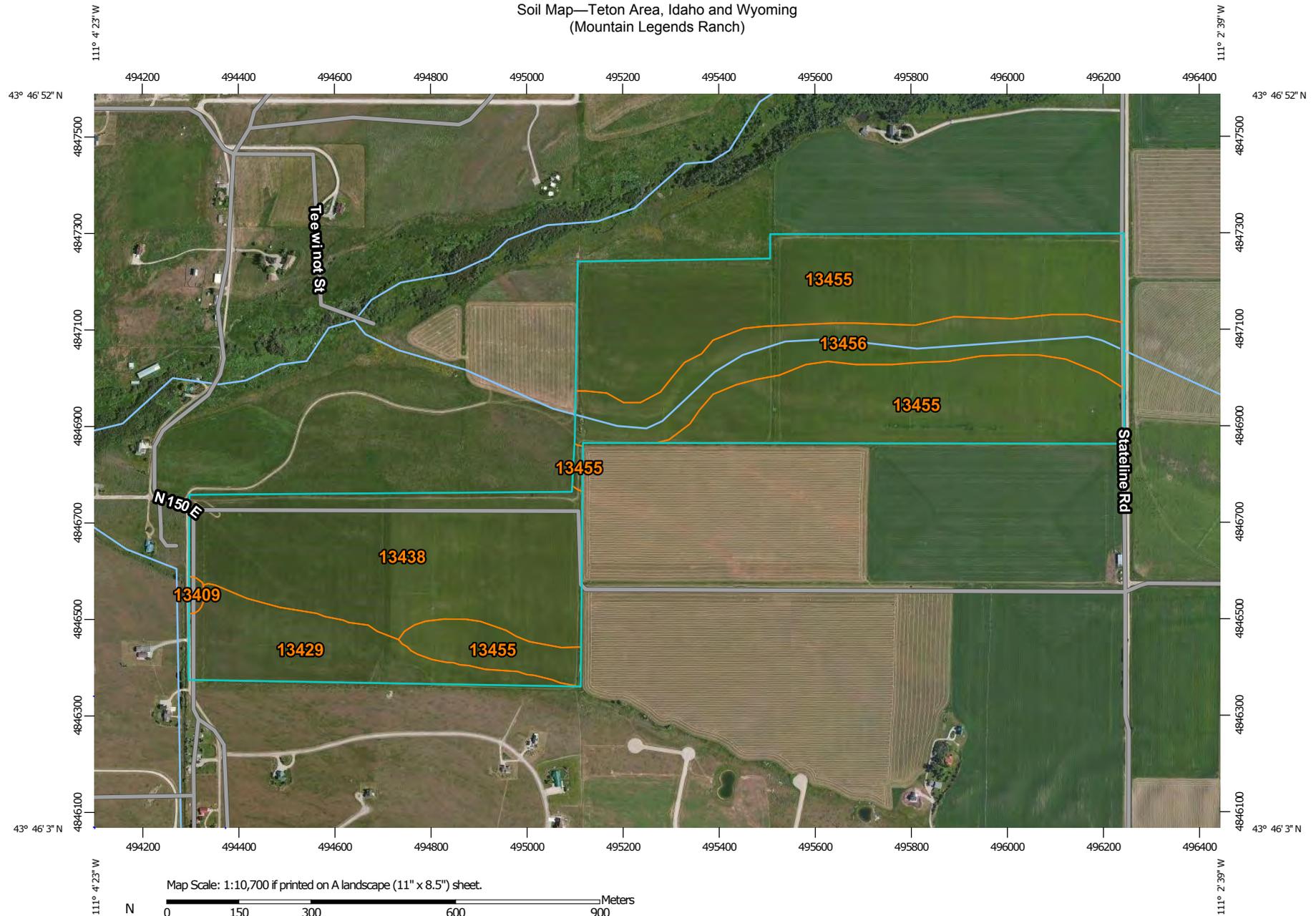
DRAFT



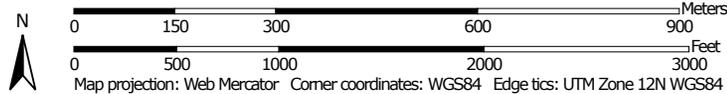
JUNE 21, 2016



Soil Map—Teton Area, Idaho and Wyoming
(Mountain Legends Ranch)



Map Scale: 1:10,700 if printed on a landscape (11" x 8.5") sheet.



Soil Map—Teton Area, Idaho and Wyoming
(Mountain Legends Ranch)

MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features

-  Blowout
-  Borrow Pit
-  Clay Spot
-  Closed Depression
-  Gravel Pit
-  Gravelly Spot
-  Landfill
-  Lava Flow
-  Marsh or swamp
-  Mine or Quarry
-  Miscellaneous Water
-  Perennial Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Severely Eroded Spot
-  Sinkhole
-  Slide or Slip
-  Sodic Spot

-  Spoil Area
-  Stony Spot
-  Very Stony Spot
-  Wet Spot
-  Other
-  Special Line Features

Water Features

 Streams and Canals

Transportation

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

Background

 Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.
Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Teton Area, Idaho and Wyoming
Survey Area Data: Version 5, Sep 25, 2015

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 20, 2011—Jul 21, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Teton Area, Idaho and Wyoming (ID650)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
13409	Snyderville gravelly loam, 0 to 4 percent slopes	0.5	0.2%
13429	Alpine gravelly loam, 0 to 2 percent slopes	19.2	9.7%
13438	Altaby-Alpine complex, 0 to 4 percent slopes	53.0	26.8%
13455	Kucera-Lostine complex, 0 to 4 percent slopes	98.1	49.6%
13456	Iphil-Ririe complex, 4 to 20 percent slopes	27.1	13.7%
Totals for Area of Interest		197.8	100.0%



Teton County Planning Department
 150 Courthouse Drive, Room 107 | Driggs, ID 83422
 Phone (208) 354-2593 | Fax: (208) 354-8410
www.tetoncountyidaho.gov

FROM: Kristin Rader, Interim Planning Administrator
 TO: Harry Statter; Sarah Johnston, Arrowleaf Engineering; Herb Heimerl, Heimerl Law Firm, PC
 CC: Darryl Johnson, Teton County Public Works Director; Kathy Spitzer, Teton County Prosecuting Attorney; Earle Giles, Teton County Fire District; Mike Dronen, EIPH;
 RE: Mountain Legends Ranch Subdivision, Concept – DRC Meeting Notes
 DATE: June 16, 2016

Harry, Sarah, and Herb, the purpose of this letter is to summarize the meeting we had on Tuesday June 14, 2016.

Roads & Utilities

- Roads need to meet the County's Adopted Road Standards.
- The road rights of ways cannot be factored into the acreage of the lots – this includes the ~~two~~^{three} public roads that border the subdivision.
- The subdivision road surface, 22 feet wide, can be considered the right of way, taken out of the lot areas, if this is designated as a private road. On each side, a 19-foot easement designated for snow storage and private utilities needs to be shown (this is included in the lot area).
 - Include in the Development Agreement and/or plat and the CC&Rs that the County may make these roads public in the future.

Fire Protection

- This project does require Fire Protection.
- From Earle Giles:
 - Per the 2008 subdivision resolution and the 2012 International Fire Code, Code section 2.3.4 referring to subdivisions with 30 or more residential lots, the water supply will need to be increased.

Sewer/Septic

- From Mike Dronen:
 - The Mountain Legends Ranch proposal requires an EIPH subdivision assessment application and review. I will contact the applicant and engineer with the information we will be looking for.

Plans & Studies

- **Landscaping Plan:** This plan will be required for Preliminary Review. This shall include a vegetation/revegetation plan identifying locations where vegetation will be installed in order to replace existing vegetation or revegetate disturbed areas, a plan for weed management, a stabilization plan to cover any disturbed slopes, and a plan to provide screening from neighboring properties or from State Highways 31, 32, 33 or Ski Hill Road.
- **Traffic Study:** A technical memo attached to the original Traffic Study explaining that the impacts have decreased should be sufficient. This will be required for Preliminary Review. Please submit this to the County Engineer.
- **Public Service/Fiscal Analysis:** This study needs to be based on the proposed subdivision. It may be possible to update the previous study to show specifics based on the fewer lot design.

- **Nutrient Pathogen Evaluation:** There are three triggers that may apply to this development. If one of these exist, the Nutrient Pathogen Evaluation will be required for Preliminary Review.
 - There is evidence that ground water, at some time of the year, comes within ten feet of the ground's surface at any location on the proposed development parcel; or
 - There is evidence that soil depth to fractured bedrock is ten feet or less anywhere on the proposed development; or
 - The proposed development is within an area where the concentration of nitrate-nitrogen in ground water is five (5) mg/L or higher

More information on the required studies can be found in the [Teton County Code, Title 9](#).

Public Hearing Information:

You are scheduled for the Teton County Planning and Zoning Commission public on **Tuesday, July 12, 2016 at 6:00 PM**. This public hearing is at the Teton County Courthouse, 150 Courthouse Drive, Driggs, Idaho. A notice, agenda, and meeting packet will be sent to you no later than the week before the meeting. Public hearings are required for the Preliminary and Final stages of this process. The scheduling of those will depend on your application submittal dates.



June 24, 2016

RE: Notice of Public Hearing and Solicitation for Comments from property owners within 300 feet of a property that has an application for a proposed subdivision.

Dear Property Owners:

This letter is to notify you that an application for Subdivision Concept Review has been submitted to the Teton County Planning Department by a nearby landowner. According to the Teton County Code (9-3-2B), the purpose of the Concept Review is to discuss, in general, the feasibility and possibility of building the proposed subdivision, including its conformity with the Comprehensive Plan, its relationship to surrounding development, any site conditions that may require special consideration or treatment, and to discuss and review the requirements of the Teton County Code. It is not to determine the exactness of each item required in the checklists of the preliminary and final plat process.

Because the proposed subdivision is proposed to have more than 10 lots, a public hearing with the Teton County Planning & Zoning Commission (PZC) is required for Concept Review approval. For approval of Concept Review of a proposed subdivision, the County shall consider the objectives of Teton County Title 9, in addition to the applicant's narrative explaining the impact of the development, and in a general way, at least the following:

- a. The conformance of the subdivision with the comprehensive plan.
- b. The availability of public services to accommodate the proposed development.
- c. The conformity of the proposed development with the capital improvements plan.
- d. The public financial capability of supporting services for the proposed development.
- e. Other health, safety, or general welfare concerns that may be brought to the County's attention.

The planning staff is soliciting comments from people in the vicinity of the applicant's property, so we can be aware of neighborhood issues related to the application and incorporate your comments into the staff report to the PZC. Please provide comments related to this application and the criteria of approval listed above.

Applicant & Landowner: Peacock Property LLC

Zoning District: A 2.5

Legal Description: RP05N46E084500 - TAX #6485 SEC 8 T5N R46E; RP05N46E078250 - TAX #6484 SEC 7 T5N R46E

Parcel Size: 197.05 acres

Description of Application: Peacock Property LLC is proposing a 76 lot subdivision on two parcels of land, approximately 197 acres. Two lots will be 2.5 acres, and the third lot will be 3 acres. A small portion of this property is located in the Scenic Corridor; however, no development is proposed there, so a Scenic Corridor Design Review is not required.

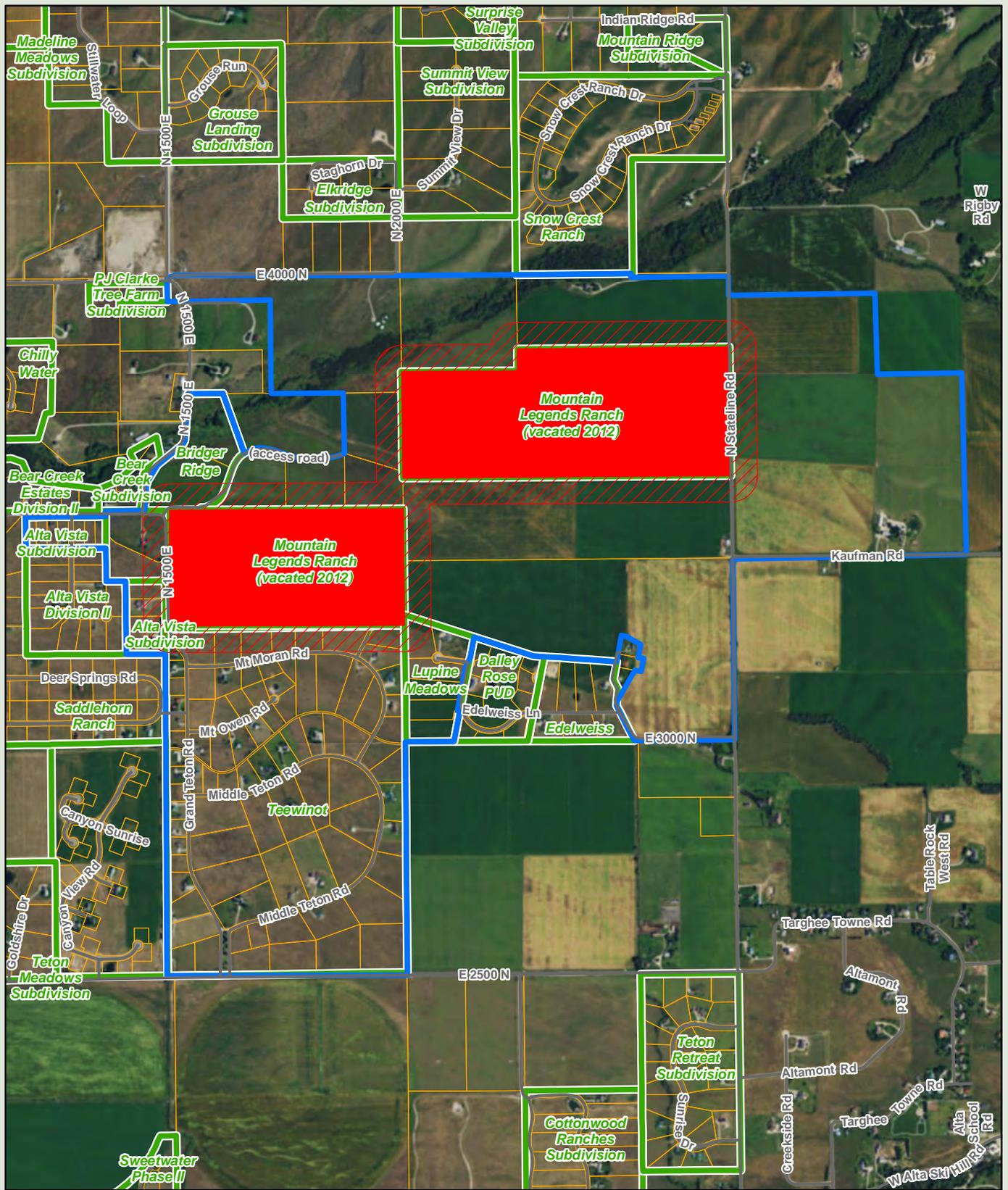
PUBLIC HEARING

The Teton County Planning and Zoning Commission will hold a hearing in the Commissioners' Chamber located on the First Floor (lower level, southwest entrance) at 150 Courthouse Drive, Driggs, Idaho on **July 12, 2016** on this matter. This application is scheduled as the second item on the agenda, at **6:00pm**. The meeting will begin at 4:00 p.m.

Information on the above application is available for public viewing in the Teton County Planning Department at the Teton County Courthouse in Driggs, Idaho. The development application and various related documents are also posted, as they become available, at www.tetoncountyidaho.gov. To view these items, go to the PZC department page, then select the 7-12-2016 Meeting Docs item in the Additional Information Side Bar. Written comments will be included in the packet of information provided to the Commission for consideration prior to the hearing if they are received in the Planning Department no later than 5:00pm on July 5, 2016. Written comments may be e-mailed to pz@co.teton.id.us, mailed to the address above, or faxed. You may also present your comments in person at the hearing.

The public shall not contact members of the Planning and Zoning Commission or Board of County Commissioners concerning this application, as their decision must, by law, be confined to the record produced at the public hearing.

If you have any further questions, please do not hesitate to contact Kristin Rader, Interim Planning Administrator (krader@co.teton.id.us).



Legend

- 300 ft Notification Buffer
- Subject Parcel
- Notified Parcels
- Subdivisions / Phases
- Parcels

Printed: June 24, 2016

**MOUNTAIN LEGENDS RANCH
SUBDIVISION CONCEPT APPLICATION NOTIFICATION**





June 30, 2016

RE: CORRECTION - Notice of Public Hearing and Solicitation for Comments from property owners within 300 feet of a property that has an application for a proposed subdivision.

Dear Property Owners:

On June 24, 2016, you were sent a letter notifying you that an application for Subdivision Concept Review has been submitted to the Teton County Planning Department by a nearby landowner. In that letter, the Description of Application read as follows:

Description of Application: Peacock Property LLC is proposing a 76 lot subdivision on two parcels of land, approximately 197 acres. Two lots will be 2.5 acres, and the third lot will be 3 acres. A small portion of this property is located in the Scenic Corridor; however, no development is proposed there, so a Scenic Corridor Design Review is not required.

The last two sentences of that description were an error. The Description of Application should read as follows:

Description of Application: Peacock Property LLC is proposing a 76 lot subdivision on two parcels of land, approximately 197 acres. The lots will be 2.5 acres, with approximately 100 acres in open space easements. These parcels are zoned A-2.5.

I apologize for this error and any confusion it may have caused. Nothing with this application has changed from the previous notice. Application materials and a staff report are available on the Teton County, ID website. I have also included the public hearing information from the original notice at the bottom of this letter.

If you have any questions related to this application, please do not hesitate to contact the Planning Department using the contact information above.

Sincerely,

Kristin Rader
Interim Planning Administrator

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The Teton County Planning and Zoning Commission will hold a hearing in the Commissioners' Chamber located on the First Floor (lower level, southwest entrance) at 150 Courthouse Drive, Driggs, Idaho on **July 12, 2016** on this matter. This application is scheduled as the second item on the agenda, at **6:00pm**. The meeting will begin at 4:00 p.m.

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