



**NOTICE OF AGENDA  
PUBLIC MEETING**  
Twin Falls City Planning & Zoning Commission  
**February 26, 2013-6:00 PM**  
City Council Chambers  
305 3<sup>rd</sup> Avenue East Twin Falls, ID 83301

**PLANNING & ZONING COMMISSION MEMBERS**

**CITY LIMITS:**

Wayne Bohrn      Tom Frank      Jason Derricott      Kevin Grey      Terry Ihler      V. Lane Jacobson      Chuck Sharp  
**Chairman**

**AREA OF IMPACT:**

Lee DeVore      Steve Woods  
**Vice-Chairman**

**CITY COUNCIL LIAISONS:**

Rebecca Mills Sojka  
Suzanne Hawkins

**I. CALL MEETING TO ORDER:**

1. Confirmation of quorum
2. Introduction of staff

**II. CONSENT CALENDAR:**

1. Approval of Minutes from the following meeting(s): **February 12, 2013**
2. Approval of Findings of Fact and Conclusions of Law: **NONE**

**III. ITEMS OF DISCUSSION:**

1. City of Twin Falls Strategic Plan Presentation c/o City Manager Rothweiler and Mike Williams
2. Request for consideration for the placement of a canopy or covering at a food service establishment providing for an outdoor seating area on property located at 705 Blue Lakes Boulevard North, c/o Sizzler Restaurant #650 (app 2555).

**IV. PUBLIC HEARINGS:**

1. Request for the Vacation of 50' x 293' dedicated public right of way, aka Desert Rose Drive located north of Ramblin Rose Way in the City's Area of Impact c/o Ken Mulberry, Robert E. Dickerson, Jr. & Rocky B. & Leeann Hagan (app. 2544)

**V. PUBLIC INPUT AND/OR ITEMS FROM THE ZONING DEVELOPMENT MANAGER AND/OR THE PLANNING & ZONING COMMISSION:**

**VI. UPCOMING PUBLIC MEETINGS (held at the City Council Chambers unless otherwise posted):**

1. Work Session – **Thursday, March 7, 2013** 12:00 pm – 1:00 pm
2. Public Hearing – Tuesday, **March 12, 2013** 6:00 pm

**VII. ADJOURN MEETING:**

Any person(s) needing special accommodations to participate in the above noticed meeting should contact Lisa A. Strickland at (208) 735-7267 at least two (2) working days before the meeting.

**CITY OF TWIN FALLS**  
**PLANNING & ZONING COMMISSION**

**Public Hearing Procedures for Zoning Requests**

1. Prior to opening the public meeting, the Chairman shall review the public hearing procedures, confirm a quorum is present and introduce staff present.
2. Individuals wishing to testify or speak before the Commission shall wait to be recognized by the Chairman, approach the microphone/podium, state their name and address, then commence with their comments. Following their statements, they shall write their name and address on the Sign-In record sheet(s) located on a separate table near the entrance of the chambers. The administrative assistant shall make an audio recording of each public meeting.
3. **The Applicant, or the spokesperson for the Applicant, shall make a presentation** on the application/request. No changes to the request may be made by the applicant after the publication of the Notice of Public Hearing – WHICH IS A MINIMUM OF 15 DAYS PRIOR TO PUBLIC HEARING. **The applicant's presentation should include the following:**
  - **A complete explanation and description of the request.**
  - **Why the request is being made.**
  - **Location of the Property.**
  - **Impacts on the surrounding properties and efforts to mitigate those impacts.**The Applicant is limited to 15 minutes, unless a written request for additional time is received and granted by the Chairman prior to commencement of the public meeting.
4. Upon completion of the applicant's presentation City Staff will present a staff report which shall summarize the application/request, history of the property, if any, staff analysis of the request and any recommendations.
  - **The Commission may ask questions of staff or the applicant pertaining to the request at this time.**
5. The public will then be given the opportunity to provide public testimony/input/comments regarding the request.
  - **The Chairman may limit public testimony to no more than two (2) minutes per person.**
  - **Five (5) or more individuals, having received personal public notice of the application under consideration, may select a spokesperson by written petition. The spokesperson shall be limited to 15 minutes.**
  - **No written comments, including e-mail, received after 12:00 o'clock noon on the date of the hearing will be accepted for consideration by the hearing body. Written comments, including e-mail, received by 12:00 o'clock noon or before the date of the hearing shall be either read into the record or displayed on the overhead projector either during or upon the completion of public comment.**
  - **Following the Public Testimony, the applicant is permitted a maximum five (5) minutes rebuttal to respond to Public Testimony.**
6. Following the Public Testimony and Applicant's response, the Public Input portion of the public hearing shall be closed-**No further public testimony is permitted.** Commission Members, as recognized by the Chairman, shall be allowed to request clarification of any public testimony received of the Applicant, Staff or any person who has testified. The Chairman may again establish time limits.
7. The Chairman shall then close the Public Hearing. The Commission shall deliberate on the request. Deliberations and decisions shall be based upon the information and testimony provided during the Public Hearing. **Once the Public Hearing is closed, additional testimony from the staff, applicant or public is not allowed.** Legal or procedural questions may be directed to the City Attorney.

**\*\* Any person not conforming to the above rules may be prohibited from speaking. Persons refusing to comply with such prohibitions may be asked to leave the hearing and thereafter removed from the room by order of the Chairman.**



Public Hearing: **TUESDAY, FEBRUARY 26, 2013**

To: Planning & Zoning Commission

From: Rene'e V. Carraway, Community Development Department

## AGENDA ITEM III-2

**Request:** Request for consideration for the placement of a canopy or covering at a food service establishment providing for an outdoor seating area on property located at 705 Blue Lakes Boulevard North, c/o Sizzler Restaurant #650 (app 2555).

**Time Estimate:**

Staff presentation will be approximately five (5) minutes.

**Background:**

<b>Applicant:</b>	<b>Status:</b> Owner	<b>Size:</b>
Sizzling Platter Sizzler Restaurant #650 705 Blue Lakes Blvd N Twin Falls, ID 83301	<b>Current Zoning:</b> C-1	<b>Requested Zoning:</b> N/A
	<b>Comprehensive Plan:</b> C-1, Commercial Highway District	<b>Lot Count:</b> 1 lot
	<b>Existing Land Use:</b> Restaurant	<b>Proposed Land Use:</b> Restaurant with outdoor patio seating under canopy
<b>Representative:</b>	<b>Zoning Designations &amp; Surrounding Land Use(s)</b>	
Joshua E. Howa, AIA Howa Design, Inc 12777 W. Berghan St Boise, ID 83709 208-841-4524	<b>North:</b> C-1; Fred Meyer	<b>East:</b> C-1; Blue Lakes Blvd N, Spruce St; retail/bank
	<b>South:</b> C-1; Caswell Ave E; Intermountain Gas	<b>West:</b> C-1 ; Fred Meyer parking lot
	<b>Applicable Regulations:</b> 10-1-4, 10-1-5, 10-4-8.3(D)	

**Approval Process:**

**As per TF City Code: 10-4-8.3(D)(1) Property Development Standards**

Outdoor or patio seating, including associated canopies or coverings, at a food service establishment must be approved by the Planning and Zoning Commission.

**Budget Impact:**

Approval of this request will have negligible impact on the City budget.

**Regulatory Impact:**

Approval of this request will allow the applicant to establish outdoor patio seating including any canopies or coverings within the front setback.

**Commission approval of this request is for zoning purposes only.** Other permits such as sign, building, electrical or plumbing permits, etc. may be required. All facilities must comply with all Building and Fire Code Regulations.

**History:**

In 1995 there was a sign permit issued to the Sizzler Restaurant. They were issued a building permit for a remodel in 2000.

On December 7, 2009 the City Council approved an ordinance to allow outdoor or patio seating, including associated canopies or coverings, at food service establishments with Planning & Zoning Commission approval.

A building permit application was submitted on January 8, 2013. The interior portion of this permit was approved on February 12, 2013. The exterior portion can be resubmitted as a change order as soon as the outdoor patio seating has gone before the Planning & Zoning Commission for approval.

**Analysis:**

This property is located in the C-1, Commercial Highway District. City Code 10-4-8.3(d)(1) states outdoor or patio seating including any canopies or coverings, at a food service establishment providing the outdoor seating area including any canopies or coverings does not exceed a property line setback of 20' or the minimum required arterial landscaping is provided, whichever is greater. Any outdoor or patio seating area proposed within a required setback must be approved by the Planning & Zoning commission. This request is for Commission approval to establish outdoor or patio seating including any canopies or coverings with the front setback at 719 Blue Lakes Blvd North.

The applicants are requesting this Commission approval to allow them to construct an outdoor patio seating area with a metal canopy structure in the front setback of their food service establishment located at 719 Blue Lakes Blvd North. The existing building is within the 35' property line setback and located within the 80' centerline setback from this portion of Blue Lakes Blvd North. This makes the building a legal non-conforming structure and addition to the front of the building would not be permitted. The metal canopy is attached to the building, requiring a building permit for placement.

Typically if there are expansions such as an attached deck, raised patio, attached canopies, or coverings these are considered a structural expansion to the building and require a building permit. City Code §10-2-1 defines Accessory Building, Attached as "an accessory building that is attached to or within 10 feet (10') of a dwelling". An approved canopy or awning that is permanent, up more than 6 months of the year, is required to have a building permit and full compliance with building/fire codes are required. An approved canopy or awning that is temporary, up less than 6 months of the year, does not require a building permit.

The proposed project is an outdoor fenced patio area with bench seating to improve the appearance at the front door and a place to gather before entering the vestibule to the restaurant. The applicant states the building is at the 35' required setback but the patio improvement will not be closer than 20' from the property line as allowed by City Code 10-4-8.3(D)(1).

**Conclusion:**

Should the Commission approve this request, as presented, staff recommends approval be subject to the following conditions:

1. Subject to amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.
2. Subject to the Applicant obtaining a building permit for construction of the exterior improvements submitted with building permit application #13-37 including the proposed outdoor patio seating and metal covering.

**Attachments:**

- |                             |                                 |
|-----------------------------|---------------------------------|
| 1. Applicant Request Letter | 5. Re-Model Plans               |
| 2. Vicinity-Zoning Map      | 6. Elevation of Patio           |
| 3. Site Map                 | 7. Current Pictures of Property |
| 4. Setback Map              |                                 |

February 15, 2013

Kelly Weeks, Planner  
City Of Twin Falls  
Planning and Zoning  
324 Hansen Street E.  
Twin Falls, ID. 83301

Re: Sizzler Restaurant #650  
705 Blue Lakes Boulevard North  
Twin Falls, ID.  
Job No.: 1204-01  
Permit Application: # 1300037

Kelly,

Thank you for your time and consideration in your review of the Sizzler Restaurant documents. I was pleased to learn that the submitted design met your expectations during the initial review of the project. On behalf of the Sizzling Platter, management group for the Sizzler Restaurant, I am hereby requesting review and approval of the project by the Planning and Zoning Commission. Please accept this submission to be included with the February 26<sup>th</sup> agenda.

The drawings depict a fenced patio area with bench seating to improve the appearance at the front door and a place to gather before entering the vestibule to the restaurant. See attached Site Plan and 3D representational graphic. As the east side of the building is at the 35' required setback, this patio improvement would be located entirely within the setback but no closer than 20' from the property line as allowed for restaurants per 10-4-8.3 Property Development Standards of the City Code if approved by the planning and zoning commission.

We look forward to review and approval by the Planning and Zoning Commission. Please contact me if you have any questions.

Very truly yours,



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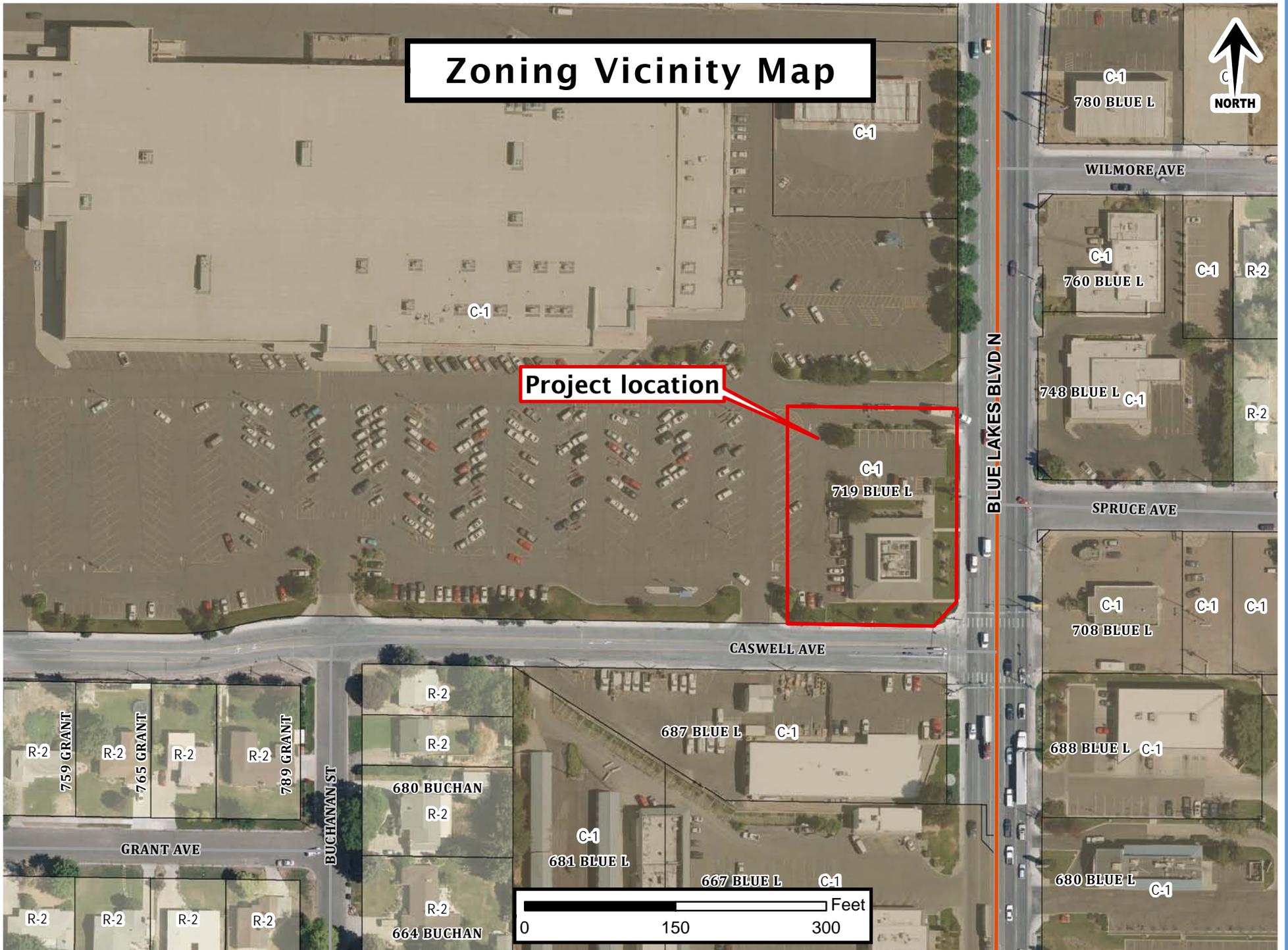
Joshua E. Howa, AIA

Cc: File  
Jim Johnson, Sizzling Platter

# Zoning Vicinity Map



Project location



# Site Map



760 BLUE L

748 BLUE L

Project location

719 BLUE L

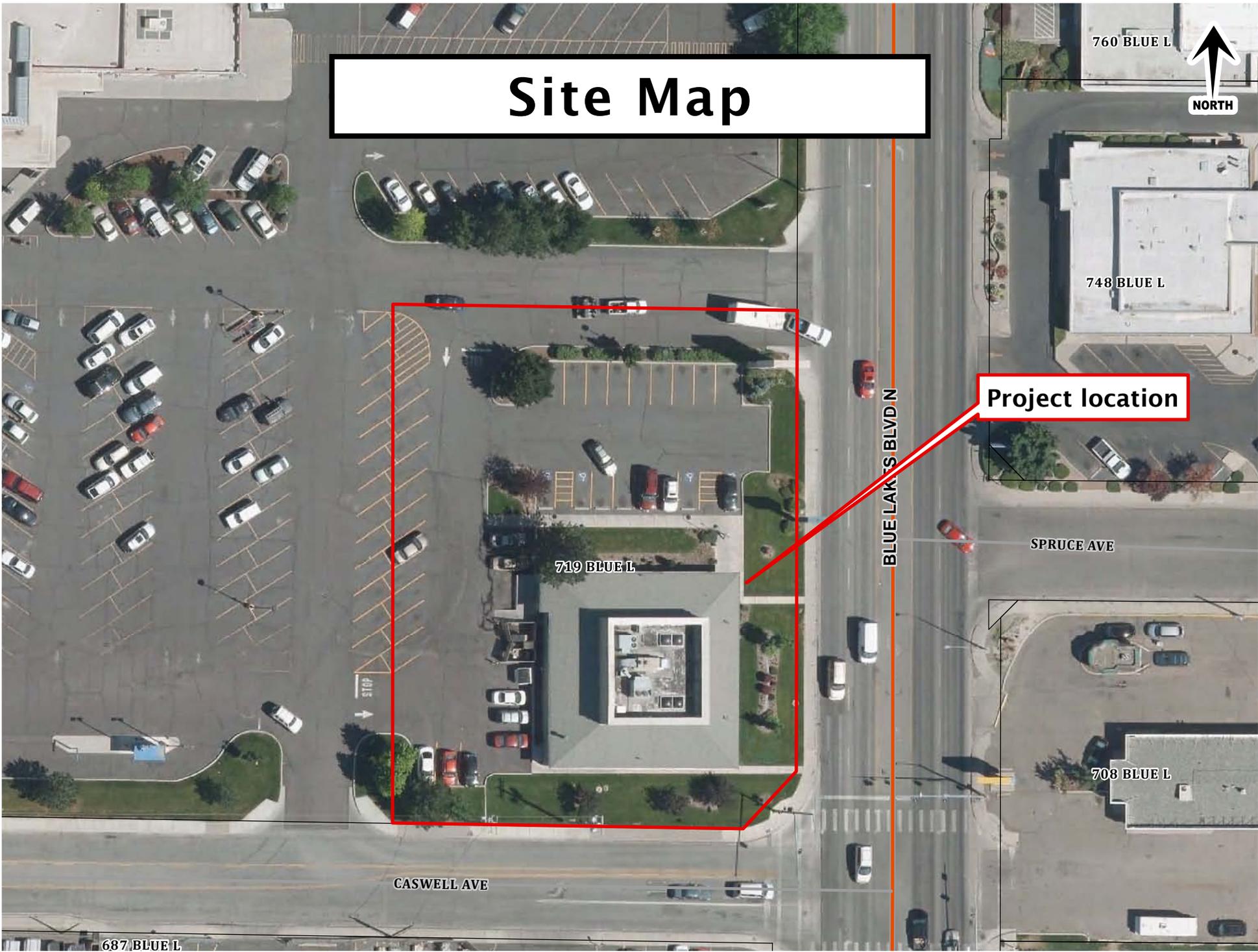
BLUE LAKES BLVD N

SPRUCE AVE

708 BLUE L

CASWELL AVE

687 BLUE L



# Setback Map



748 BLUE L

SPRUCE AVE

708 BLUE L

BLUE LAKES BLVD N

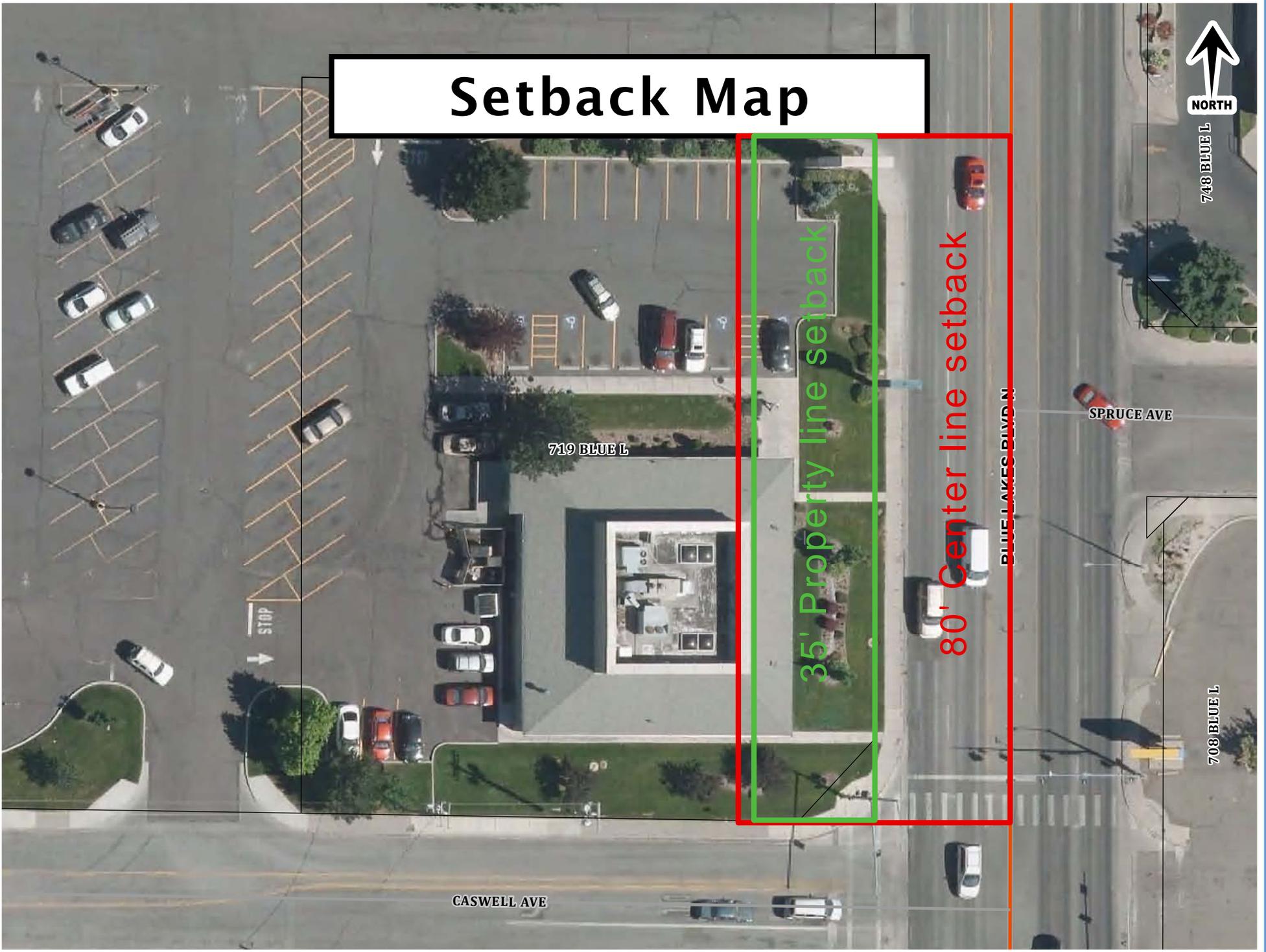
80' Center line setback

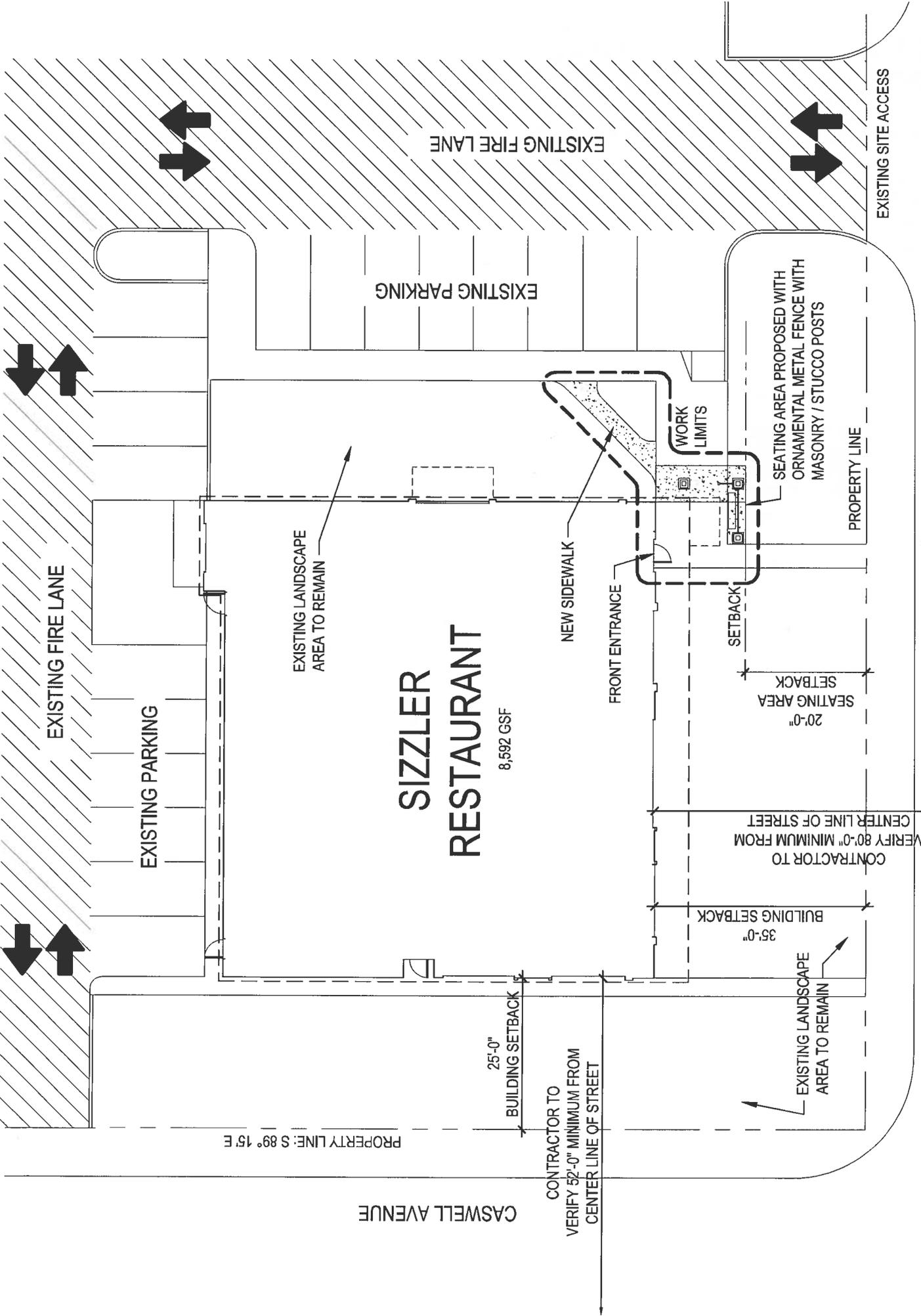
35' Property line setback

719 BLUE L

CASWELL AVE

STOP





NORTH

# SITE PLAN

SCALE: 1" = 20'-0"

BLUE LAKES BLVD. NORTH

PROJECT OWNER:  
 SIZZLING PLATTER  
 348 E. 6400 S. STE. 200  
 PHONE: (801) 268-3400

LOT 3, BLOCK 1  
 FRED MEYERS  
 SUBDIVISION



SILVER HILLS RESORT

SILVER HILLS RESORT



Looking South along Blue Lakes

02/20/2013 02:49 PM



Looking North along Blue Lakes

02/20/2013 02:49 PM



Entrance of Sizzler from Parking Lot

02/20/2013 02:50 PM



Public Meeting: **TUESDAY, FEBRUARY 26, 2013**  
 To: Planning & Zoning Commission  
 From: Rene'e V. Carraway, Community Development Department

## AGENDA ITEM IV-1

**Request:** Request for the Vacation of 50' x 293' dedicated public right of way, aka Desert Rose Drive located north of Ramblin Rose Way in the City's Area of Impact. c/o Rocky and LeAnn Hagan, Ken Mulberry, Robert Dickerson. (app. 2544)

**Time Estimate:**

The applicant's presentation may take up to fifteen (15) minutes. Staff presentation will be approximately ten (10) minutes.

**Background:**

<b>Applicant:</b>	<b>Status:</b> Surrounding Property owners	<b>Size:</b> 50' (+/-) x 315.5 – Approximately 15,775 sq ft
Rocky and LeeAnn Hagan; Ken Mulberry; Robert Dickerson	<b>Current Zoning:</b> Right of way surrounded by SUI zoned property in Area of Impact	<b>Requested Zoning:</b> vacation of undeveloped public right-of-way
	<b>Comprehensive Plan:</b> Rural Residential	<b>Lot Count:</b> N/A - RoW
	<b>Existing Land Use:</b> undeveloped Right-of-Way	<b>Proposed Land Use:</b> vacate for use as private property
<b>Representative:</b>	<b>Zoning Designations &amp; Surrounding Land Use(s)</b>	
	<b>North:</b> SUI Area of Impact; Agricultural	<b>East:</b> SUI Area of Impact; Residential
	<b>South:</b> SUI Area of Impact ; Residential	<b>West:</b> SUI Area of Impact; Residential
	<b>Applicable Regulations:</b> 10-1-4, 10-1-5, 10-4-4, 10-12-1 through 4, 10-16-1 & 2	

**Approval Process:**

**As per TF City Code: 10-16-1  
 Vacations & Dedications**

- (D) **Public Hearing:** The Commission shall hold a public hearing and make recommendations on all petitions for vacation of an existing subdivision, plat or part thereof inside or within one mile of the boundaries of the City, or within the City "area of impact", and notice of said public hearing shall be given, by certified mail with return receipt, at least ten (10) days prior to the date of the public hearing to all property owners within three hundred feet (300') of the boundaries of the area described in the petition. Such notice of public hearing shall also be published once a week for two (2) consecutive weeks in the official newspaper of the City, the last of which shall not be less than seven (7) days prior to the date of said hearing.
- (E) **Commission Recommendation:** Within sixty (60) days from the receipt of the petition for vacation, the Commission shall transmit its recommendation to the Council. The Commission may recommend that the vacation be granted or it may recommend a modification to the vacation, or it may recommend that the vacation be denied.
- (F) **Action by Council:** The Council, prior to approving, modifying or denying the vacation, shall conduct a public hearing using the same notice and hearing procedures as the Commission. Whenever public rights of way or lands are vacated, the Council shall provide adjacent property owners with a Quit Claim Deed for the vacated rights of way in such proportions as are prescribed by law.

**Budget Impact:**

Approval of this request will have negligible impact on the City budget.

**Regulatory Impact:**

Approval of this request will allow the applicants to proceed to the City Council with their request. Approval of this request would allow for ownership of the property to be transferred to the adjacent property owners.

**History:**

Desert Rose Drive was not built during construction of the surrounding subdivision which took place in the summer 2006 - fall 2007. Final acceptance of the subdivision improvements by the City of Twin Falls took place in July of 2007.

**Analysis:**

This is a request to vacate a platted and dedicated portion of right-of-way called Desert Rose Drive located in the Wild Rose Estates Subdivision. Wild Rose Estates was platted and recorder in June 2006. However, the roadway was never developed during the construction of the improvements in the Subdivision; therefore it was never been accepted by the Highway District. As the right-of-way is undeveloped and the City has no plans to improve the roadway the adjacent property owners are requesting to vacate the property.

Originally, Desert Rose Drive was platted in order to gain access to the property to the North, which is owned by Ken Mulberry. An agreement has been reached where in the event development occurs; access to this property will be gained via an alternative route to the East of Wild Rose Estates off 3400 East. This satisfies the need to provide access to the "land locked" parcel to the north of the non-existent Desert Rose Drive.

We have received letters from the following utility companies: Intermountain Gas, Qwest/Centurylink, Cable One; Twin Falls Canal Company, with the only exception being Idaho Power Company. Each utility company agrees to the vacation with the condition of a 15' utility easement be placed on the vacated roadway which will front onto Ramblin Rose Way (aka 4050 North).

The typical procedure of a vacation is that the area vacated is split evenly between the adjacent property owners. However, the Dickerson's have already recorded a 15' wide public utility easement to be placed on the proposed vacated roadway closest to their current westerly property line. They have no desire to claim any other part of the proposed vacated roadway. This would leave the remaining 35' to be designated to the Hagan's and/or Mulberry's.

The vacation process requires a public hearing before the Planning and Zoning Commission. After receiving a recommendation from the Commission, the City Council holds an additional public hearing and if the request is approved a recommendation is then forwarded to the County Commissioners who will have the final decision on the matter.

**Conclusion:**

Should the Commission recommend approval of the request, as presented, staff recommends the following conditions:

1. Subject to amendments as required by Building, Engineering, Fire, and Zoning Officials to ensure compliance with all applicable City Code requirements and standards.

2. Subject to receiving a letter of approval from Idaho Power, and any conditions that may be placed on their approval.
3. Subject to a fifteen foot (15') wide utility easement being recorded for the area of the vacated roadway that fronts Ramblin Rose Way (aka 4050 North)

**Attachments:**

1. Letter of Request from adjacent property owners
2. Zoning - Vicinity Map
3. Site Map
4. Wild Rose Estates Subdivision
5. CableOne letter
6. Qwest letter
7. Intermountain Gas Company letter
8. Twin Falls Canal Company letter
9. Dickerson's Currently Recorded Utility Easement
10. Photos

12/18/12

City of Twin Falls  
City Council  
Twin Falls, Idaho

Re: Road abandonment-Wild Rose Subdivision

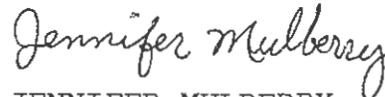
To Whom it May Concern:

We, the undersigned, are the owners of the property that lies directly north of where the roadway is that runs between the Lance LeBaron property and the property owned by Bob Dickerson. We concur with Lance and Bob's request to have the road vacated. In regard to our property that abuts the roadway easement, the city needs to know that we have other land that is contiguous to said property and that in the event we sell, or develop, any of the property located at the north end of Wild Rose Subdivision that we will provide road access for any such property across the other property that we own. We are fully supportive of the abandonment of the roadway.

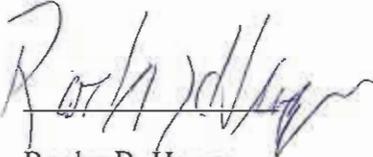
Currently we have no plans to sell or develop the property, that lies north of the Wild Rose Subdivision, as our intent is to keep all of this property intact, at least for the foreseeable future. You are free to contact us if you have any questions or concerns.

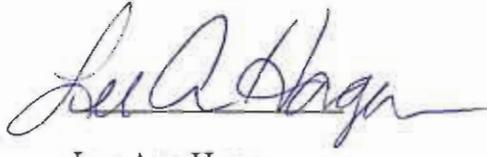
Sincerely yours,

  
KEN MULBERRY

  
JENNIFER MULBERRY

I wish to vacate the portion of Desert Rose Drive, Twin Falls, ID that is adjacent to the properties described as; Lot 7 in Block 1 of Wild Estates Subdivision No. 2, Twin Falls County, Idaho, recorded in Book 20 of Plats, page 34, records of Twin Falls County, Idaho also described as 3344 E 4050 N, Twin Falls, ID 83301, Lot 1 in Block 5 of Wild Estates Subdivision No. 2, Twin Falls County, Idaho, recorded in Book 20 of Plats, page 34, records of Twin Falls County, Idaho also described as 3348 E 4050 N, Twin Falls, ID 83301 and the attached exhibit A commonly known as RP10S18E061201A.

  
Rocky B. Hagan

  
Lee Ann Hagan

\_\_\_\_\_  
Kenneth Mulberry

\_\_\_\_\_  
Jennifer Mulberry

The Dickerson Trust

BY:   
Robert E. Dickerson, Jr., Trustee

BY:   
Linda K. Dickerson, Trustee

RECEIVED

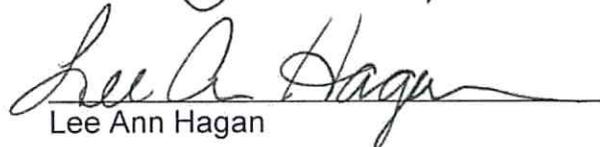
JAN 28 2013

CITY OF TWIN FALLS  
BUILDING DEPT.

The undersigned, being the record owners of a house and real property located at 3344 E 4050 N, Twin Falls, Idaho 83301, hereby consent to the vacation of that portion of Desert Rose Drive, Twin Falls, Idaho, that is adjacent to the properties described as Lot 7 in Block 1 (also known as 3344 E 4050 N, Twin Falls, Idaho 83301), and Lot 1 in Block 5 (also known as 3348 E 4050 N, Twin Falls, Idaho 83301), both of which lots are located in Wild Rose Estates Subdivision No. 2, Twin Falls County, Idaho, according to the official plat thereof recorded in Book 20 of Plats, page 34, records of said County Recorder.

DATED this 25<sup>TH</sup> day of January, 2013.

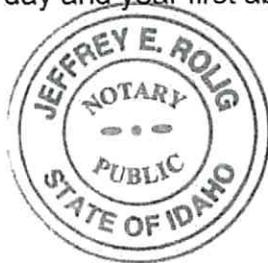
  
Rocky B. Hagan

  
Lee Ann Hagan

STATE OF IDAHO            )  
  ) ss.  
County of Twin Falls        )

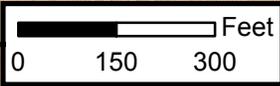
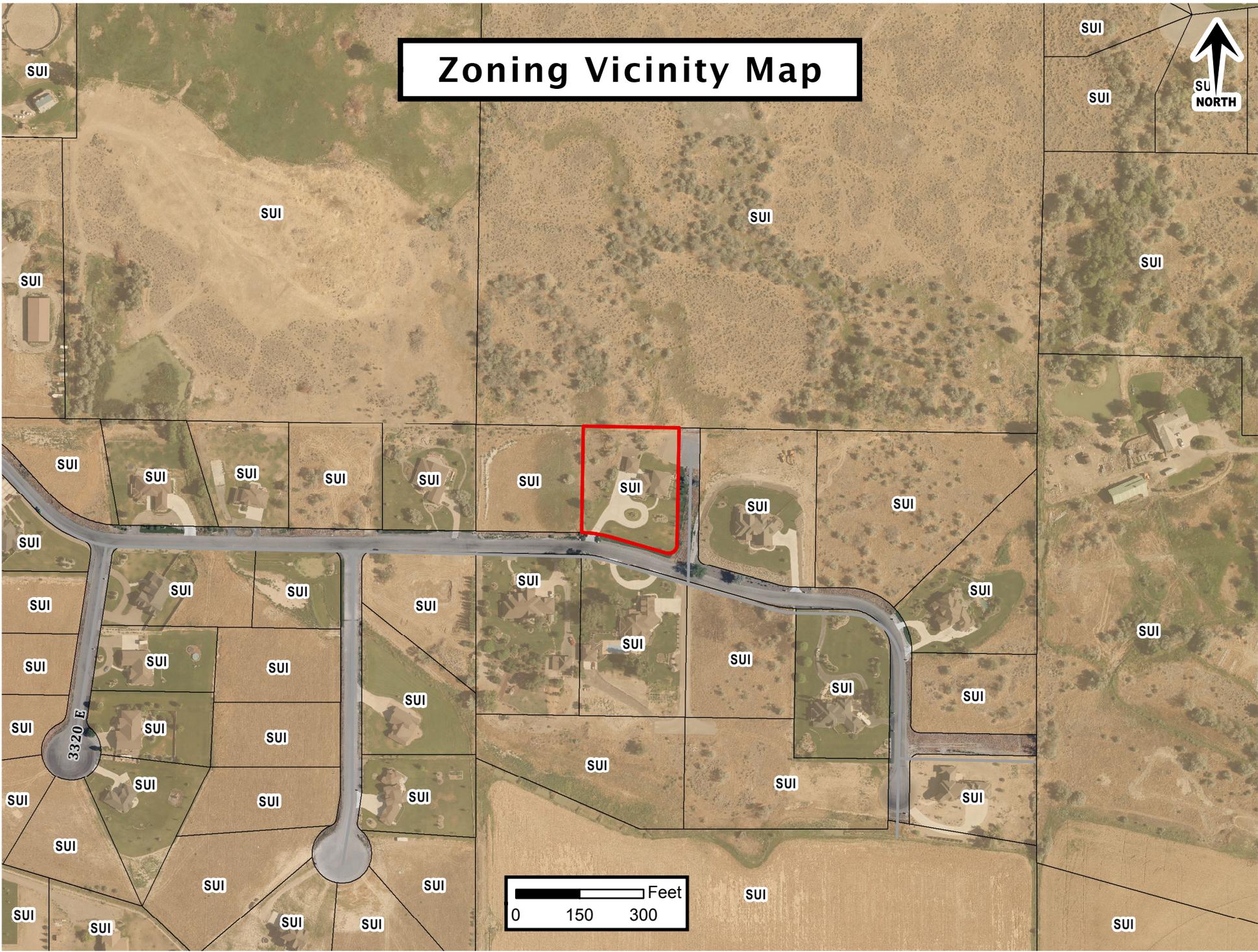
On this 25<sup>TH</sup> day of January, 2013, before me, a Notary Public in and for said State personally appeared ROCKY B. HAGAN and LEE ANN HAGAN, husband and wife, known or identified to me to be the persons who executed the foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year first above written.



  
NOTARY PUBLIC FOR IDAHO  
Residing at: Twin Falls, Idaho  
Commission Expires: 2.6.18

# Zoning Vicinity Map



# Site Map



3338 4050

3344 4050

3348 4050

3354 4050

3337 4050

3343 4050

3349 4050



# WILD ROSE ESTATES

SUBDIVISION NO. 2

LOCATED IN  
IN A PORTION OF  
NW 1/4 SECTION 6,  
TOWNSHIP 10 SOUTH, RANGE 18 EAST,  
BOISE MERIDIAN,  
TWIN FALLS COUNTY, IDAHO  
2006

## LEGEND

- PROPERTY BOUNDARY LINE
- ROAD CENTER LINE
- LOT LINE
- ESSEMENT LINE
- SET 1/2" x 24" REBAR & CAP (LS 1000)
- SET 3/8" x 30" REBAR & CAP (LS 1000)
- FOUND 5/8" REBAR & CAP (LS 1000)

CURVE	DELTA	RADIUS	ARC	CHORD	TANGENT	L.C.B.
C-1	15.000°	200.00'	52.36'	52.21'	28.33'	181.283.22'W
C-2	15.000°	225.00'	58.90'	58.74'	29.62'	181.283.22'W
C-3	15.000°	250.00'	65.45'	65.26'	32.91'	181.283.22'W
C-4	15.000°	280.00'	72.90'	72.67'	37.18'	181.283.22'W
C-5	15.000°	300.00'	79.37'	79.11'	41.55'	181.283.22'W
C-6	15.000°	320.00'	85.74'	85.44'	45.92'	181.283.22'W
C-7	15.000°	340.00'	92.03'	91.69'	50.29'	181.283.22'W
C-8	15.000°	360.00'	98.24'	97.86'	54.66'	181.283.22'W
C-9	15.000°	380.00'	104.37'	103.95'	59.03'	181.283.22'W
C-10	15.000°	400.00'	110.42'	110.00'	63.30'	181.283.22'W
C-11	15.000°	420.00'	116.39'	115.96'	67.57'	181.283.22'W
C-12	15.000°	440.00'	122.28'	121.84'	71.84'	181.283.22'W
C-13	15.000°	460.00'	128.10'	127.65'	76.11'	181.283.22'W
C-14	15.000°	480.00'	133.85'	133.39'	80.38'	181.283.22'W

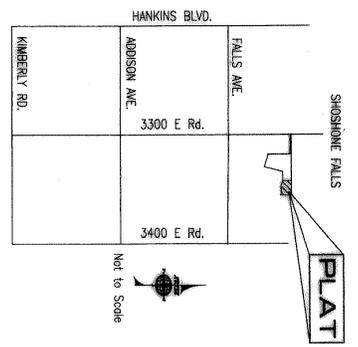
## Health Certificate

Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13 have been satisfied based on the State of Idaho, Department of Environmental Quality (DEQ) approval of the design plans and specifications imposed on the developer for continued satisfaction of the sanitary restrictions. Buyer is cautioned that at the time of this approval, no drinking water or sewer/septic facilities were constructed. Building construction can be allowed with appropriate building permits if drinking water or sewer facilities have since been constructed or constructed by the developer. The conditions of construction of those facilities, including the location of the facilities or when the other conditions of construction may be imposed, in accordance with section 1006 of the Idaho Health Department Code, may be reviewed in the health certificate code by the issuance of a certificate of disapproval, and no construction of any building or shelter requiring drinking water or sewer/septic facilities shall be allowed.

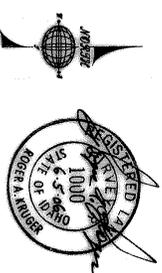
DISTRICT HEALTH DEPARTMENT, REHS  
DATE: 6/1/06

NOTE: SEE SURVEY INSTRUMENT #67689 & #812401 FOR SECTION BREAKDOWN.

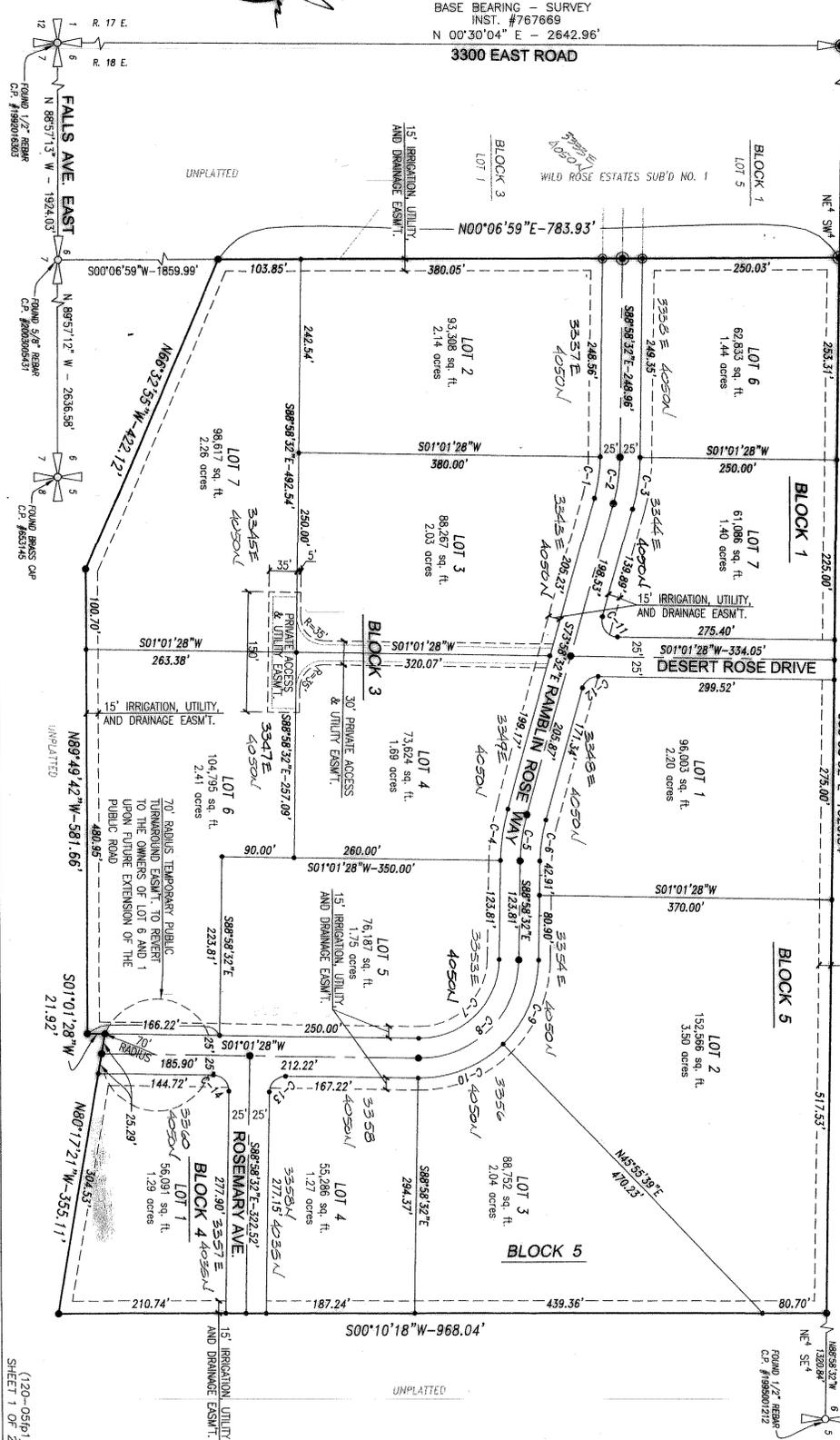
## VICINITY SKETCH



SCALE IN FEET  
0 50 100 200



**GMM** Engineers Inc.  
REGISTERED PROFESSIONAL ENGINEERS





Watch us make you smile.

261 EASTLAND DRIVE  
P.O. BOX 1946  
TWIN FALLS, IDAHO 83301  
PH: 208•733•6230  
FX: 208•733•6296

February 21, 2012

*RE: Vacation of DESERT ROSE DRIVE Road Right Of Way*

*TO:*

Land Title and Escrow.

Mr. Zach Bay

1411 Falls Ave. East, Ste. 1131

Twin Falls, Idaho 83301

Dear Sir,

We agree to abandon the Road Right of Way of DESERT ROSE DRIVE, Located between Lot 7 Block 1 and Lot 1 Block 5 in the WILD ROSE ESTATES Subdivision No. 2, Providing that a 15 Ft. Utility easement is Provided In same Location From Ramblin Rose Way North Between Lot 7 Block 1 and Lot 1 Block 5 to North end of Property lines as indicated on attached copy of The Platt.

Thank you,

Ron Burns  
Cable One Construction  
261 Eastland Dr.  
P.O. Box 1946  
Twin Falls, Idaho 83301  
208-733-6877 Ext. 7150  
208-539-9886



Dec. 26 2012

Zach Bay  
Land Title and Escrow, Inc.  
1411 Falls Ave E, Suite 1131  
Twin Falls, Id 83301

RE: Vacation of Easement  
Wild Rose Estates Subd. No.2

To Whom It May Concern:

Whereas, Centurylink currently maintains telephone lines within Desert Rose Dr or along Ramblin Rose wy. A 15' utility easement will be needed along the North Side of Ramblin Rose Wy. The attached map will show that location.

If you have any questions or concerns, please call Brad McNew at (208)736-8760

Sincerely,

Brad McNew  
Design Engineer  
Centurylink





687 BLUE LAKES NORTH • P.O. BOX 68 • TWIN FALLS, IDAHO 83303-0068  
(208) 737-6300 • FAX: (208) 737-6342 • In-State: 1-800-548-8771  
www.intgas.com

January 2, 2013

To Whom It May Concern:

We, the undersigned public utility company Intermountain Gas Company, will release rights for the Vacation of the street right of way known as Desert Rose Drive, once a Public Utility Easement has been recorded.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Watkins', is written over a horizontal dashed line.

Greg Watkins  
District Operations Manager  
208-737-6313

RECEIVED  
JAN 16 2013  
CITY OF TWIN FALLS  
PLANNING & ZONING







December 21, 2012

Troy Vitek  
Assistant City Engineer  
City of Twin Falls  
PO Box 1907  
Twin Falls, Idaho 83303-1907

RE: Wild Rose Estates/Desert Rose Drive

Dear Troy,

I have reviewed the site map for the Desert Rose Drive easement vacation between lots 1 & 7 in the Wild Rose Estates Subdivision. This letter is to inform you that the Twin Falls Canal Company has no facilities in the area and therefore has no issues with the proposed vacation of the Desert Rose Drive easement.

If you have any questions, please contact me at 733-6731.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay Barlogi".

Jay Barlogi  
Twin Falls Canal Company

UTILITY EASEMENT  
(General Utilities)

THIS UTILITY EASEMENT is made and entered into this day 3<sup>rd</sup> of January, 2013 by and between, The Dickerson Trust, hereinafter called the Grantor, and Idaho Power Company, CableOne, Qwest/Century Link and Intermountain Gas, hereinafter referred to as Grantees: WITNESSETH: That, for and in consideration of the sum of TEN DOLLARS (\$1.00), and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Grantor hereby grants unto the Grantee, its successors and assigns, forever, a perpetual utility easement for utility purposes that the Grantee may deem necessary, granting unto said Grantee full and free right and authority to install, construct, operate, maintain, repair, replace and reconstruct said utilities as Grantee may deem necessary over, across, through, in and under that certain parcel of land described as: The East 15 feet of Desert Rose Drive located in Wild Rose Estates Subdivision No. 2., Twin Falls County Idaho, recorded as Instrument No. 2006-013757, official records of Twin Falls County, Idaho.

IN WITNESS WHEREOF, GRANTOR, has caused this Utility Easement to be executed in their name, this 3<sup>rd</sup> day January of 2013

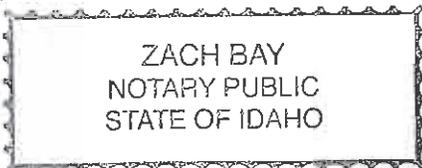
The Dickerson Trust

BY: [Signature]  
Robert E. Dickerson, Jr., Trustee

BY: [Signature]  
Linda K. Dickerson, Trustee

STATE OF IDAHO )  
) ss.  
COUNTY OF Twin Falls )

On this 3<sup>rd</sup> day of January, 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared Robert E. Dickerson, Jr. and Linda K. Dickerson, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same as such Trustees.



[Signature]  
Notary Public  
Residing at: Twin Falls, ID  
Commission Expires: 8-15-2017



Looking North from Current Road

02/20/2013 02:26 PM



Looking North along the West Boundary of Platted Road

02/20/2013 02:28 PM



Looking North from middle of  
platted un-built Road.

02/20/2013 02:28 PM

