Owyhee County
Planning & Zoning

PO Box 128, Murphy Id. 83650
Phone (208) 495-2095 Fax (208) 495-2051

TIME EXTENSION APPLICATION

I have OR have not (circle one) already received one extension for the permit noted above.

Original Expiration Date: December 20, 2026

Subsequent Extension Permit number(s): _____

Modified Extension Date(s): _____

Area of City Impact: Marsing Homedale None

APPLICATION REQUIREMENTS:

Time extension application must be complete, paid, and filed prior to the date of expiration of the original approval. The items listed in the checklist below must be submitted as part of the application package in order for the application to be considered complete for processing. Your application will not be accepted if all of the required items are not submitted.

SUBMITTAL REQUIREMENTS:

FEE: Filing fee according to the current fee schedule

Submit six (6) copies and one original of each of the following, assembled into seven (7) identical packets.

- DETAILED LETTER: A written narrative to address the need for the time extension and the expected date of completion. The letter must also indicate what progress you have made, and what has prevented you from completing the project or the conditions of approval.
- Copy of original application and decision(s) of approval.
- Approved site plan from your original application.
- Copy of approved preliminary plat if this is for a subdivision project.

Office use only **STAFF:** Paula Reeder

Comments:

_____

_____

_____

Nov. 20, 2026

Owyhee County
Planning & Zoning

PO Box 128, Murphy Id. 83650
Phone (208) 495-2095 Fax (208) 495-2051

TIME EXTENSION APPLICATION

Requiring Public Hearing

Lawerance Prow
APPLICANT/ APPLICANT REPRESENTATIVE

1580 Gulley Rd
MAILING ADDRESS

Homedale Idaho 83628
CITY STATE ZIP CODE

208 337-8121
TELEPHONE

Lawerance Prow
OWNER'S NAME

1580 Gulley Rd
OWNER'S MAILING ADDRESS

Homedale Id 83628
CITY STATE ZIP CODE

208-337-8121
OWNER'S TELEPHONE NUMBER

1212 River Rd
PROJECT ADDRESS/LOCATION

23 4N 6W
SECTION TOWNSHIP RANGE

RP0 4N6W230600
TAX ASSESSOR'S PARCEL NUMBER(s)

dprow01@frontier.com
EMAIL

Agricultural
CURRENT ZONING OF THE PARCEL

318983
ORIGINAL PERMIT FILE NUMBER

5 years
LENGTH OF EXTENSION REQUESTED

I DECLARE UNDER PENALTY OF PERJURY that I/we, Lawerance Prow, being duly sworn, depose and say that I/we am/are the applicant(s) in the foregoing application, that I/we have read the foregoing application and know the content thereof and state that the same is true and correct to the best of my knowledge. Furthermore, all information and data submitted to Owyhee County in support of my application is true and correct to the best of my knowledge. I/we acknowledge that by submitting this application a member or members of the planning and zoning commission may physically make a site visit to the proposed site and surrounding vicinity. I/we understand that this will be done at an unannounced time without conversation with owners, applicants, or the public.

Dated: 10/10/24 Signed: Lawerance Prow

Dated: _____ Signed: _____

FOR ADMINISTRATIVE USE

File No. Z-27-03 Date: 10-13-2026
Received by: Pamela Redmon
Pd. Check Check No. 2065 Timely filed: ____

NOTES: _____

Lawerance Prow

1580 Gulley Rd

Homedale, Idaho 83628

Owyhee County Planning and Zoning

P.O. Box 128

Murphy, Idaho 83650

To whom It May Concern;

We are applying for a time extension on our Conditional Use Permit Z24- 30 due to family members passing away. My sister who was 1/3rd owner of said property has passed away. Tax assessor's parcel number RPO4N6W230600 physical address 1212 River Road, Homedale, Idaho 83628. Once her affairs clear Probate, I will share ownership with four nephews. I have 1/3 and they will each have 1/6.

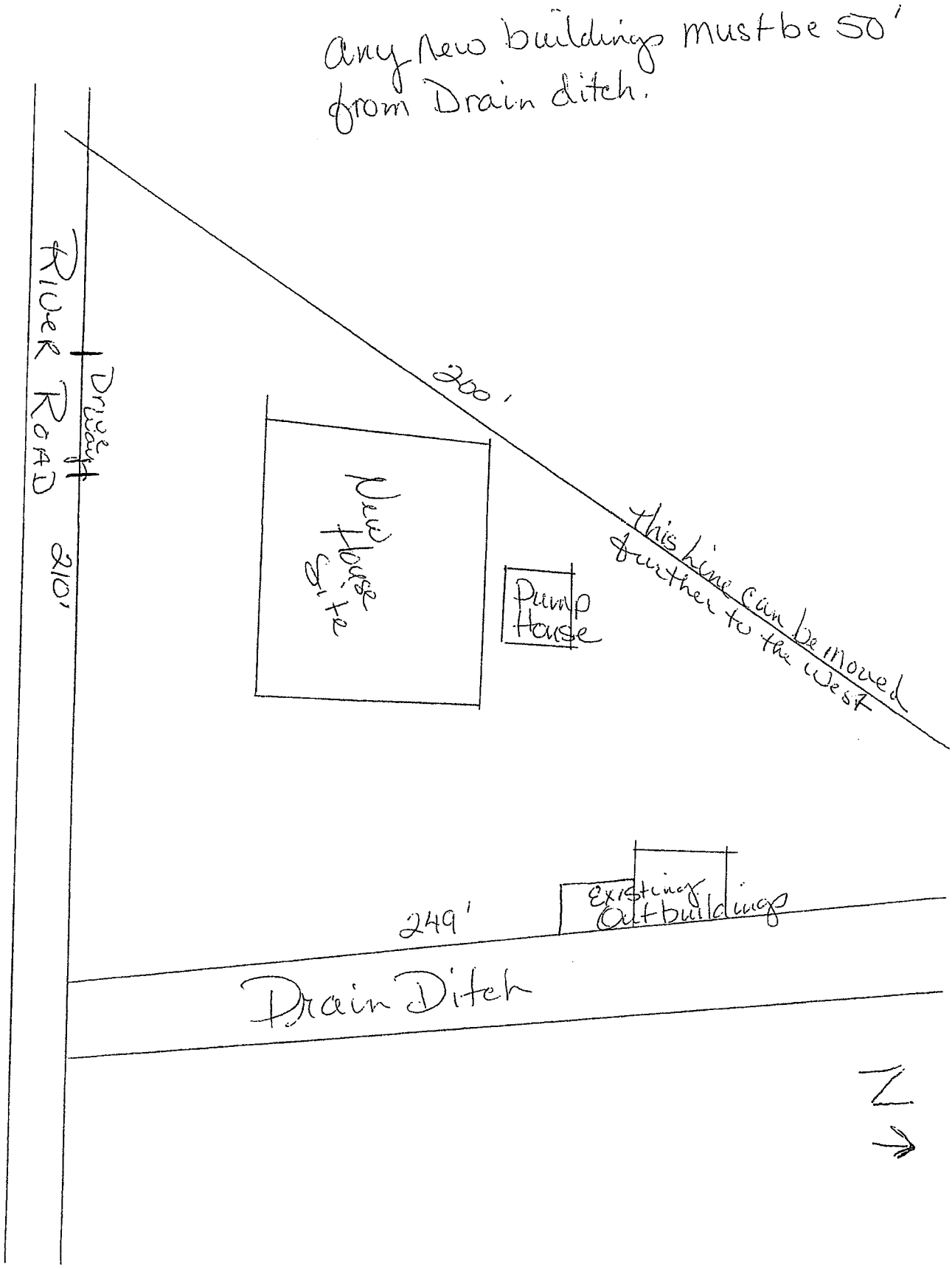
We would like to ask for an extension of 5 years to accommodate probate and family input/decisions.

Thank you for your consideration,

Lawerance Prow

House site 1212 River Road

All Distances are approximate.



BEFORE THE OWYHEE COUNTY PLANNING AND ZONING COMMISSION

Re: Application for Conditional Use Permit)
)
Filed by)
Lawerance Prow)
_____)

No. Z24-30
Memorandum of Decision

Instrument # 318983
MURPHY, OWYHEE, IDAHO
11-21-2024 11:23:56 AM No. of Pages: 6
Recorded for : OWYHEE COUNTY PLANNING & ZONING
ANGELA BARKELL Fee: 0.00
Ex-Officio Recorder Deputy
Index to: MEMORANDUM

SUMMARY

Lawerance Prow, (hereinafter "Applicant") applied for a conditional use permit seeking to establish a single-family dwelling on land they own. The subject parcel, RP04N06W2306000, is approximately 37 acres, and is located off River Road. The parcel is in an agricultural zone in a portion of the N½ of Section 23, Township 4 North, Range 6 West, Boise Meridian, Owyhee County, Idaho After a duly noticed hearing conducted on October 30, 2024 the Commission enters the following Decision:

FINDINGS

All statements in this narrative summary of the evidence are findings of fact made by the Commission after the hearing, and considering evidence admitted in the case. The statements of fact contained herein are "Findings of Fact" made by the Commission, even absent the phrase "The Commission finds." The same applies to narrative statements. All facts contained therein are "Findings of Fact."

1. The Commission finds that the Applicants are seeking approval of a single family dwelling to be able to sell the parcel with the right to build a single-family residence.
2. The Commission finds that this parcel is owned by the Applicant and additional family members who have all submitted affidavits to allow the applicant to proceed with the application.
3. The Commission finds that the requested use is not the type of agricultural related housing considered in the Comprehensive Plan but finds there is substantial evidence that a single-family residence previously existed on the parcel.
4. The Commission finds that the subject parcel is located in an area of Owyhee County that has been designated an Agricultural District (hereinafter "District A"). Owyhee County Code, Title 9, Chapter 5, Article A., Section 9-5A-4 sets forth the uses that may be permitted under a conditional use permit in District A. Contained therein, "uses allowed or permitted in District R", are uses that may be permitted in Zone A after approval of a conditional use permit. In turn, Title 9, Chapter 5, Article C., Section 9-5C-4 (District R) sets forth "planned unit development" as a use allowed by conditional use permit.
5. The Commission finds that Owyhee County Code, Title 9, Chapter 9-6-4 sets forth the process and criteria used for issuance of a conditional use permit. This section sets out that the Applicants have the burden of proof to justify the conditional use permit, Section 9-6-4 B. requires that the Applicants meet the burden of proof on the following criteria:
   - Whether this Code permits the use by conditional use permit.
   - Whether the intended use is necessary or desirable to the public convenience and welfare.
   - Whether the proposed use may create a hazard, nuisance, detriment, or other injury to other property in the immediate vicinity or to the health or safety to the citizens of the county in general.

- Whether essential public services, or the general public health or safety, or the general public environment may be negatively impacted by such use or whether there may be a requirement of additional public funding in order to meet the needs created by the requested use.
- Whether adequate sewer, water and drainage facilities, and utility and other service systems are to be provided by the applicants to accommodate said use.
- When a permit is granted with appropriate conditions, bonds and safeguards which are in conformity with this title may be prescribed. Violations of such conditions, bonds or safeguards, when made a part of the terms under which the conditional use is granted, shall be deemed a violation of this title.
- Whether the proposed use may have adverse impact on water and water supplies, both surface, aquifer and underground in the county.
- Whether the geological base on which the use is to be placed may or may not support such proposed use.
- Whether the proposed use at the proposed site may endanger human health, animal life and plant life in the surrounding area and/or the county in general.
- Whether the proposed use complements, benefits, and is compatible with the surrounding land uses.
- Whether special conditions could be imposed upon the proposed use which would so minimize any adverse impact as to justify the granting of the conditional use permit.

6. The Commission finds credible the Applicant's testimony that the proposed home would use the existing access directly off River Road, an existing public road.
7. The Commission finds that the subject parcel is in a Herd District and the Applicant is aware that all livestock must be fenced in.
8. The Commission finds credible the applicants testimony that this parcel did have a historic home on this parcel but that the home valuation assessment and homesite were last associated with this property in 2007.
9. The Applicant testified that they did not know who would purchase the property.
10. The Commission finds this parcel is unique because it had a previous home, and that the well and septic system systems still exist, however the applicant testified that the septic system may have to be redone.
11. The applicant testified that two adjacent parcels had been combined to create the subject parcel sometime in 1995.
12. The Commission finds that the applicants agreed to a deed restriction for 10 years. The deed restriction shall restrict future development beyond and above the approved single family residence.
13. The Commission finds credible the Applicant testimony that the intention is to sell the parcel.
14. The Commission finds credible Mr. Prow's testimony that there is an existing well.
15. The Commission finds credible the Applicant's testimony that power is located on the parcel.
16. The Commission finds that the parcel has 17 acres of water rights, and 20 acres of non-irrigated land.
17. The Commission finds that a new septic system and drain field will be installed according to Southwest District Health standards.
18. The Commission finds there was no one present in opposition and the applicants provided a signed statement from neighbors supporting application.
19. The Commission finds the subject parcel is in the Homedale Fire District. Homedale Fire has no objections and stated there is already emergency access.
20. The Applicant is aware that access must meet the fire access road standards.
21. The Commission finds that the Applicant provided a soil classification from the Natural Resources

Conservation Service, which indicates that the geological base is sufficient for the proposed use.

22. The Commission finds credible the Applicant's testimony that the residences and property will be maintained in good order.
23. The Commission finds the Applicant is aware of the Standard Special Conditions that are imposed to minimize adverse impacts.

CONCLUSION

In consideration of the information provided in the application, the testimony provided at the hearing, and the findings stated above, the Commission concludes that the application should be granted. While the commission found a new residence is not in line with the current Agricultural zone and Comprehensive Plan. They concluded that there was an existing residence and only because a residence had existed while the family owned the parcel. The home shall be allowed to be replaced.

Owyhee County Comprehensive Plan section 5. Agricultural.

> *"It is not the intent of the Comprehensive Plan to allow unregulated residential, industrial, or commercial uses within the Agricultural Zones when they are not part of a normal and customary use related to the operation of an individual farm, ranch, or agricultural unit."*

In consideration of the information provided in the application, the testimony provided at the hearing, and the findings stated above, the Commission concludes that the application should be granted with the following special conditions:

SPECIAL CONDITIONS

1. The access to the new residence must be constructed with an all-weather driving surface at least twenty (20) feet wide with a six (6) inch gravel base, graded and compacted, and a turnaround space must be provided pursuant to the 2012 International Fire Code (Attachment A). Written approval of the access from the local fire district must be provided prior to the issuance of a building permit.
2. Applicants must recognize and any future occupant or purchaser of subject parcel must be advised, through recorded marketing disclosure and/or deed restrictions, that any agricultural activity, which is in existence on lands adjoining or in the vicinity of the subject property, may not be considered a nuisance pursuant to the Idaho Right to Farm Act. A signed and recorded copy of the Right to Farm Affidavit must be provided to the Administrator prior to the issuance of a Certificate of Compliance.
3. Approval must be obtained by Southwest District Health for the septic system prior to the issuance of a building permit for the new residence.
4. This decision will be recorded by the Administrator prior to the issuance of a certificate of compliance, recording fee having been included in the application fee.
5. Compliance with all applicable laws and regulations.
6. All structures, improvements, and construction must be developed according to the presentation given under oath at the public hearing for which the conditional use permit was approved.
7. Abandoned and/or junk vehicles will not be allowed to accumulate on the property.
8. A containment area for trashcans must be constructed to minimize the occurrence of wind, animals, or other uncontrollable sources spreading trash to surrounding areas.

9. Applicant will control weeds and pests (including, but not limited to, gophers) on the parcel for which the permit is granted.
10. A 10 year deed restriction prohibiting additional development will be recorded.
11. This conditional use permit will expire twenty-four (24) months from the date the written decision is signed if substantial progress toward development of the use permitted by the conditional use permit has not been accomplished or an extension of the life of the permit.

ORDER

Conditional use permit Z24-30 is granted to Lawerance Prow subject to the conditions set forth in the Conclusion above Notice is hereby given that the Applicant has a right to request a regulatory taking analysis pursuant to section 67-8003, Idaho Code.

Issued: This 20th day of November 2024

Attest:

Appeal Deadline: December 10th, 2024

Owyhee County, Idaho

RIGHT TO FARM
Disclosure Statement

A. It is the intent of the Legislature of the State of Idaho pursuant to IDAHO CODE Title 22 Chapter 45, RIGHT TO FARM ACT to reduce the loss to the state of its agricultural resources by limiting the circumstances under which agricultural operations may be deemed to be a nuisance.
B. It is the intent of the Owyhee County Board of Commissioners and the Planning and Zoning Commission to uphold, support, and enforce the RIGHT TO FARM ACT.
C. The County of Owyhee fully supports and permits "agricultural operations" as defined in IDAHO CODE 22-4502, Definitions, when operated in accordance with generally recognized agricultural practices which includes conformity with Federal, State, and local laws and regulations and when not adversely affecting public health and safety.

I acknowledge Idaho's RIGHT TO FARM, and I accept the agricultural environment they protect and do agree to live within said environment.

Name: Lawerance E. Prow

Name: Brenda R. Watts

Address: 1580 Gulley Rd Homedale, Idaho 83628

Legal: Section: 23 Township: 4N Range: 6W

Assessor's Parcel Number: RP04N6W230600

Lawerance E Prow — 9-9-24
Signature — Date

Brenda R Watts — 9-9-24
Signature — Date

STATE OF IDAHO, County of Owyhee ss.

On this 9th **day of** September, 20 24, **before me, the undersigned, a Notary Public in and for said State, personally appeared:**

Lawerence Prow & Brenda Watts

Known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

Signature: Barbara Easterday
Name: Barbara Easterday
Residing at: Homedale Id 83628
My Commission expires: 7-14-2028

BARBARA EASTERDAY
COMMISSION # 65817
NOTARY PUBLIC
STATE OF IDAHO
MY COMMISSION EXPIRES JULY 14, 2028

ATTACHMENT A

FIRE APPARATUS ACCESS ROADS

SECTION D101
GENERAL

D101.1 Scope. Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of the *International Fire Code*.

SECTION D102
REQUIRED ACCESS

D102.1 Access and loading. Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved* fire apparatus access road with an asphalt, concrete or other *approved* driving surface capable of supporting the imposed load of fire apparatus weighing at least 75,000 pounds (34 050 kg).

SECTION D103
MINIMUM SPECIFICATIONS

D103.1 Access road width with a hydrant. Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7925 mm), exclusive of shoulders (see Figure D103.1).

D103.2 Grade. Fire apparatus access roads shall not exceed 10 percent in grade.

Exception: Grades steeper than 10 percent as *approved* by the fire chief.

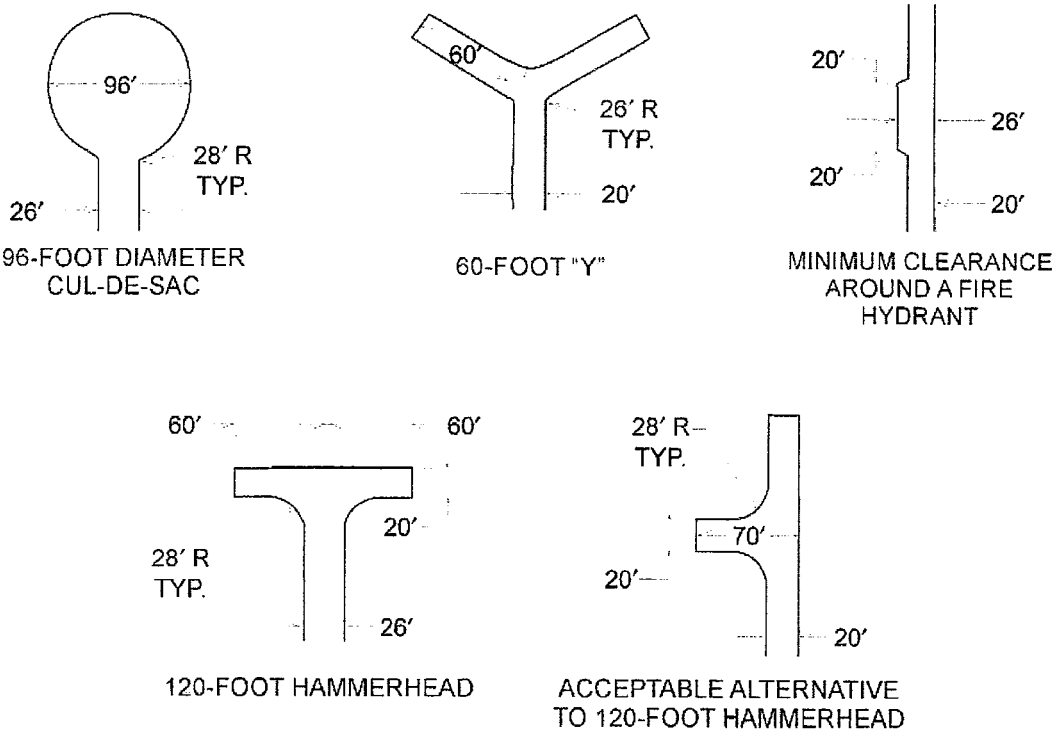
D103.3 Turning radius. The minimum turning radius shall be determined by the *fire code official*.

D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Table D103.4.

TABLE D103.4
REQUIREMENTS FOR DEAD-END FIRE APPARATUS ACCESS ROADS

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	20	None required
151-500	20	120-foot Hammerhead, 60-foot "Y" or 96-foot diameter cul-de-sac in accordance with Figure D103.1
501-750	26	120-foot Hammerhead, 60-foot "Y" or 96-foot diameter cul-de-sac in accordance with Figure D103.1
Over 750	Special approval required	

For SI: 1 foot = 304.8 mm.

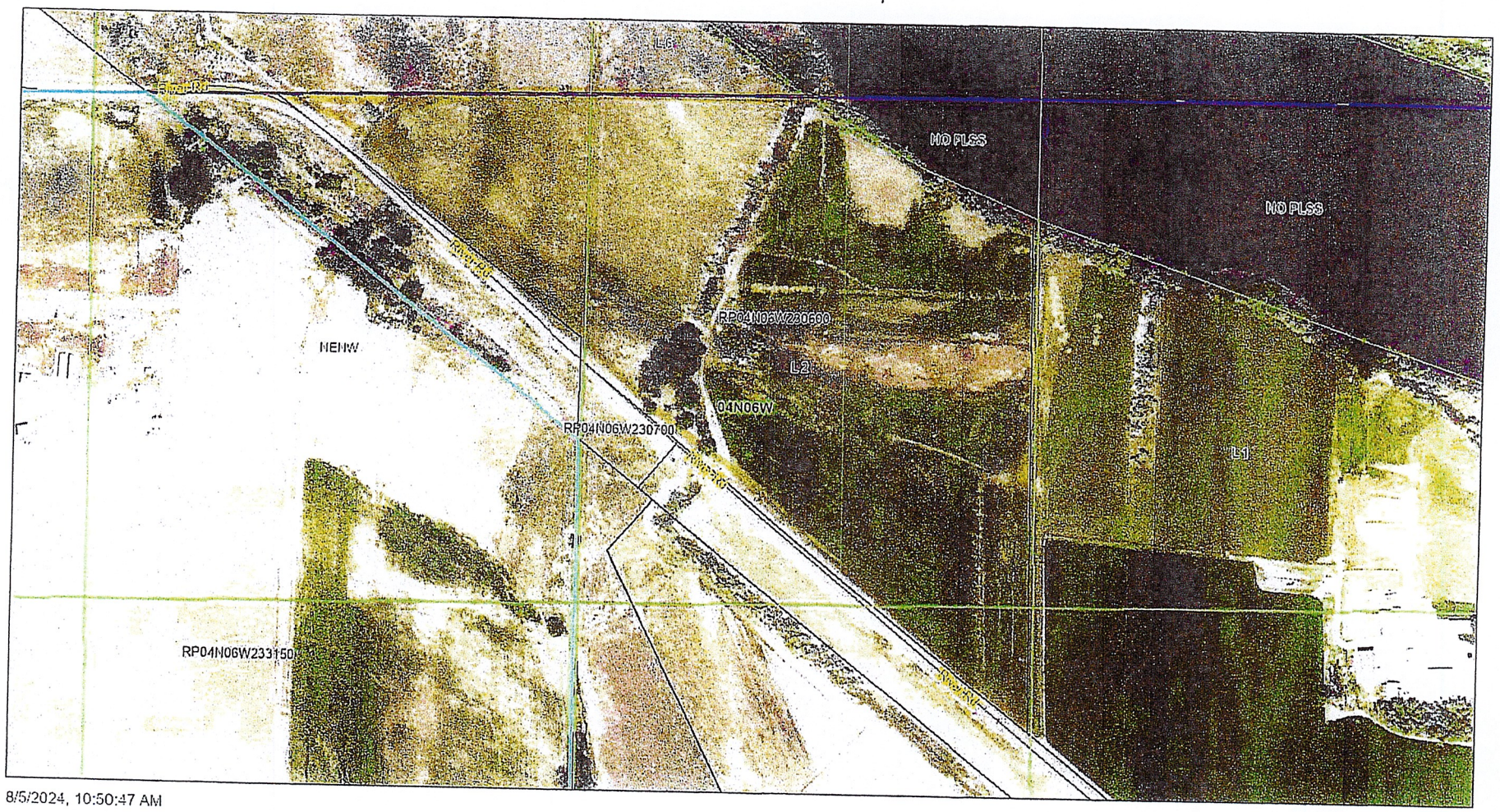


For SI: 1 foot = 304.8 mm.

FIGURE D103.1
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND

N ↑

ArcGIS Web Map



8/5/2024, 10:50:47 AM

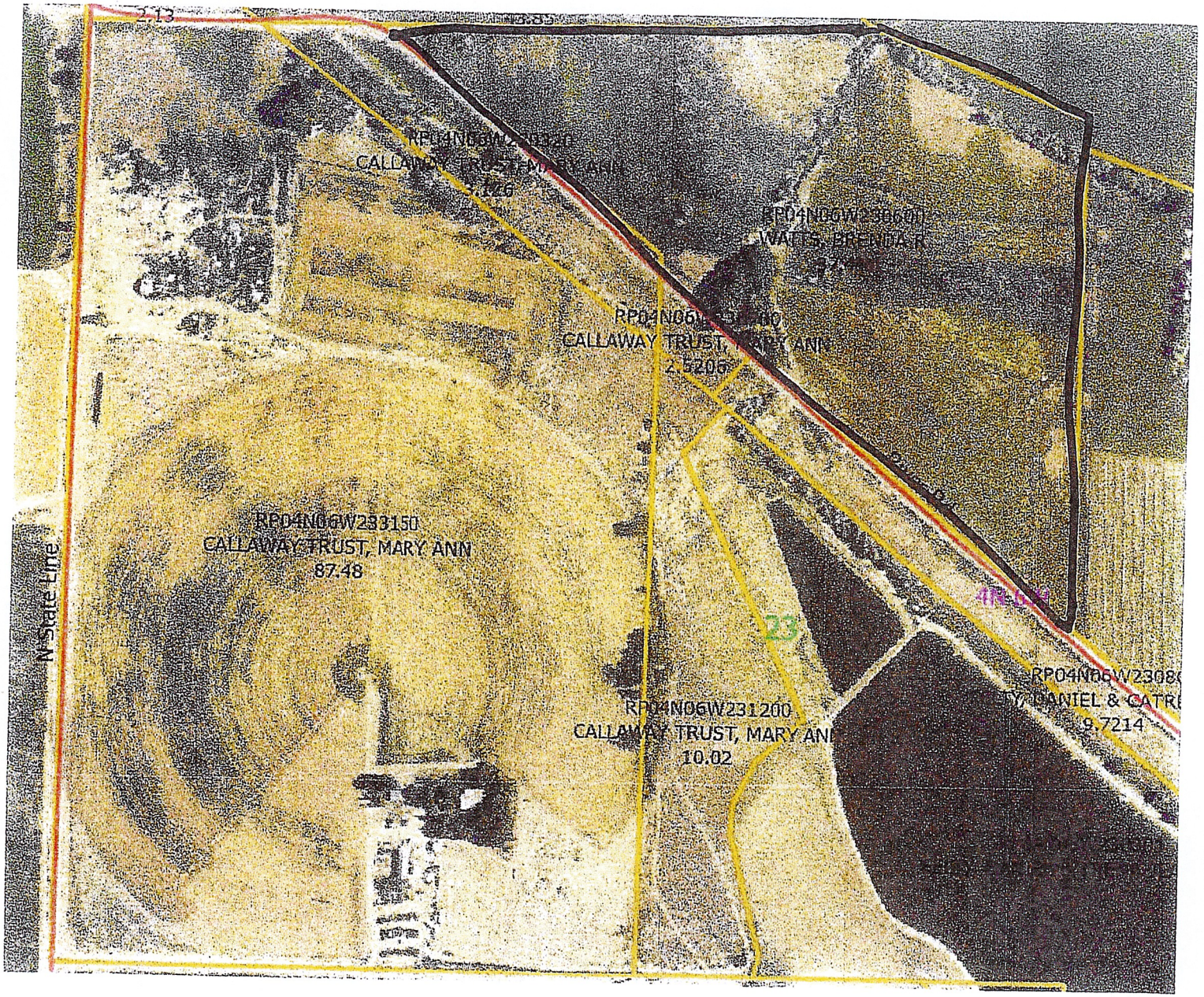
1:4,025

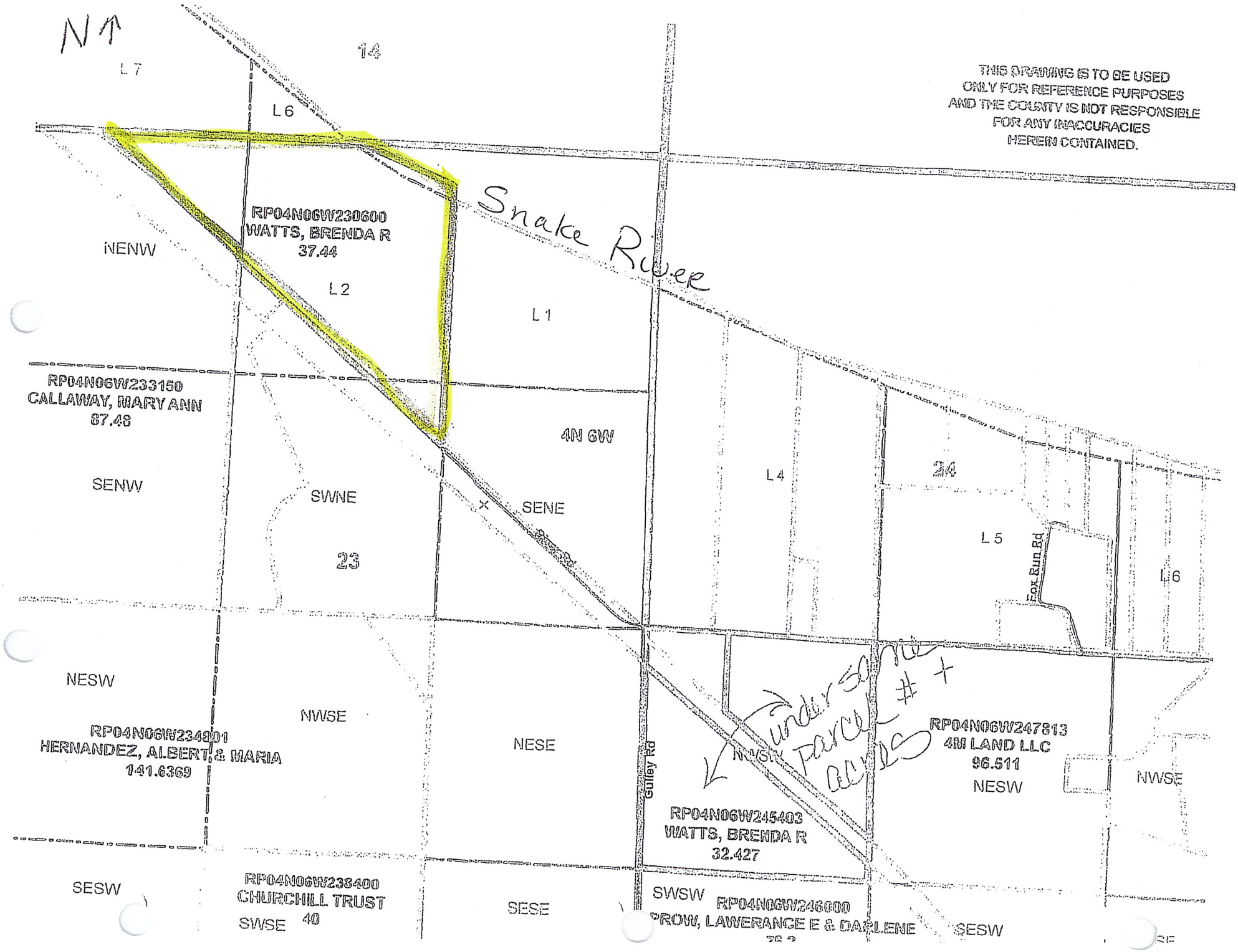
0 0.04 0.07 0.14 mi

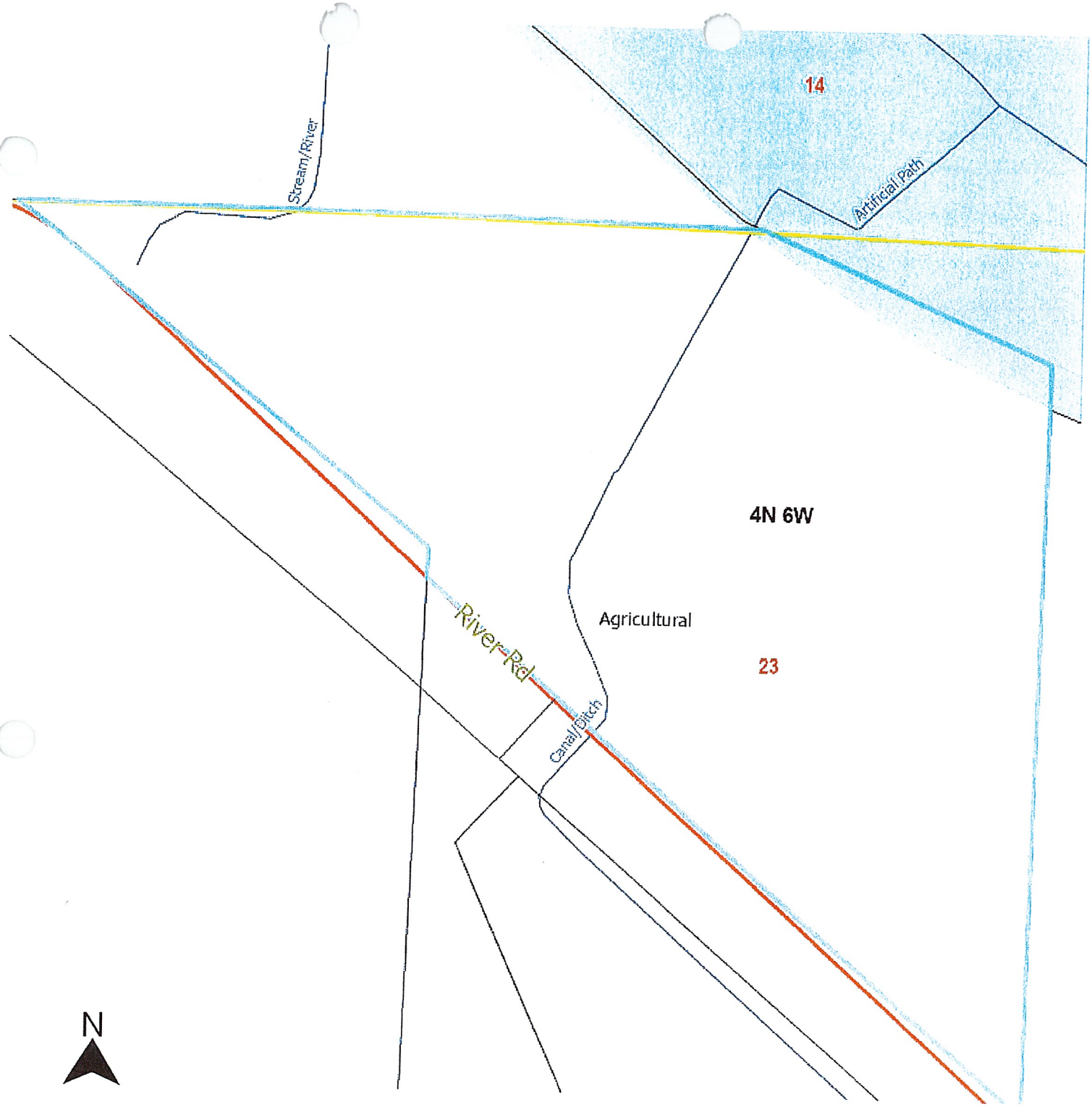
0 0.05 0.1 0.2 km

The USDA-FSA Aerial Photography Field Office data is to be credited in derived products. Esri Community Maps Contributors, CCSO GIS, Oregon State Parks, State of Oregon GEO, © OpenStreetMap, Microsoft, Esri, Intelan, Garmin, SafeGraph, GeoTechnologies, Inc,

N ↑


RP04N06W233150
CALLAWAY TRUST, MARY ANN
87.48
RP04N06W231200
CALLAWAY TRUST, MARY ANN
10.02
RP04N06W230600
WATTS, BRENDA R
2.5205
N State Line
23


N
L7
14
L6
THIS DRAWING IS TO BE USED ONLY FOR REFERENCE PURPOSES AND THE COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN CONTAINED.
RP04N06W230600
WATTS, BRENDA R
37.44
Snake River
NENW
L2
L1
RP04N06W233150
CALLAWAY, MARY ANN
87.48
4N 6W
SENW
SWNE
SENE
L4
24
L5
L6
23
Fox Run Rd
NESW
NWSE
RP04N06W234901
HERNANDEZ, ALBERT & MARIA
141.6369
NESE
Gulley Rd
RP04N06W247813
4M LAND LLC
96.511
NESW
NWSE
RP04N06W245403
WATTS, BRENDA R
32.427
SESW
RP04N06W238400
CHURCHILL TRUST
SWSE 40
SESE
SWSW
RP04N06W246600
SESW


14
Stream/River
Artificial Path
4N 6W
Agricultural
23
River Rd
Canal/Ditch
N

Zoning