

Alturas Law Group, PLLC

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May 19, 2021

SENT VIA EMAIL ONLY TO mpomeroy@co.blaine.id.us and jlovell@blainecounty.org

Blaine County Commissioners
Attn: Mandy Pomeroy
Blaine County Administrator

RE: Approach and Encroachment Permit- NOTICE OF APPEAL

Dear Board of Blaine County Commissioners:

I represent Mr. Jae Hill. As you are aware, Mr. Hill submitted an application for an approach and encroachment permit to maintain access to his residential property via Imperial Gulch Road. That application was denied on May 4, 2021. Mr. Hill hereby appeals the Board's decision under Blaine County Code § 6-1-1-4 and requests a hearing before the Board to hear his appeal.

I will submit a memorandum in support of Mr. Hill's appeal at least two (2) weeks prior to the scheduled hearing, unless another timeline is agreed upon.

Please update me with potential hearing dates as soon as you are able. I would like to ensure that my client and I are available.

Sincerely,

ALTURAS LAW GROUP, PLLC



Samuel L. Linnet

Attorney for Jae Hill

CC: Client

Tim Graves, Chief Deputy Prosecuting Attorney, *via email* tgraves@co.blaine.id.us

Tom Bergin, Director of Land Use and Building Services, *via email* bergin@co.blaine.id.us

Encl.



THE BOARD OF BLAINE COUNTY COMMISSIONERS

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Dick Fosbury, Chairman * Angenie McCleary, Vice-Chair * Jacob Greenberg, Commissioner

May 4, 2021

Jae Hill
imperialgulch@gmail.com

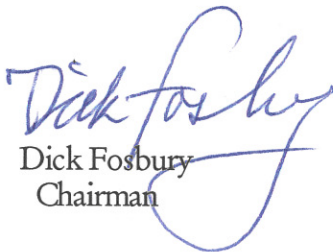
Re: Permit Request – Imperial Gulch Road

Dear Mr. Hill,

The Board of County Commissioners (Board) has considered your application for an approach and encroachment permit to maintain a portion of Imperial Gulch Road. As you know, the Board did not validate the Imperial Gulch Road by decision dated January 26, 2021, finding instead that Imperial Gulch Road was more suited as an unmaintained, primitive public access. The Board's validation decision also made clear that "[a] widened, improved, and maintained road, made readily accessible to construction and residential traffic, would permanently alter the character of IGR in contravention of the public interest."

The Board is constrained by the validation decision, and your application to maintain the Imperial Gulch Road must be denied. To the extent public access is blocked or seriously hindered by conditions over or upon the public access easements, the Board will consider whether additional maintenance or other actions are necessary.

Sincerely,


Dick Fosbury
Chairman


Angenie McCleary
Vice-Chairman


Jacob Greenberg
Commissioner