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Subject: CU-23-00003- Podobnik -Roadways & Property Values
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Jamey Ayling & CDS Staff,

I have a few final comments/considerations regarding CU-23-00003.

Appropriateness of Roadways:

One of the proposed egress points, marked "exit" on the site plan, is a residential easement that connects to Forest Service Road 4517. The Forest Service maintenance level 2 is defined in the FSH 7709.59, sec 62.32 as:

“Assigned to roads open for use by high-clearance vehicles. Passenger car traffic, user comfort, and user convenience are not considerations. Warning signs and traffic control devices are not provided with the exception that some signing, such as W-18-1 “No Traffic Signs” may be posted at intersections. Motorists should have no expectations of being alerted to potential hazards while driving these roads. Traffic normally is minor, usually consisting of one or a combination of administrative, permitted dispersed recreation, or other specialized uses. Log haul may occur at this level.”

Maintenance level 2 roads have the following attributes:

- **Are maintained for use by high-clearance vehicles and not suitable for passenger cars.**
- Do not consider passenger car traffic, user comfort, and user convenience.
- Have low traffic volume and low speed.
- Typically, have very few, if any, signs or other traffic control devices.
- Do not consider surface smoothness.
- Do not always provide motorists with alerts to potential hazards.
- May not be passable during periods of inclement weather.

At this maintenance level, Recreational Vehicles most certainly are not appropriate. Their clearance is too low, and the road has inappropriate width, site lines, grading, and clearance. It should be noted that currently, the **residents of the Granite Creek community** pay to maintain this road beyond the FS maintenance provided. This includes paying for professional chip sealing, snow plowing, drainage clearance, and brush/tree removal. Should

the residents continue to bear the burden of maintaining this road for commercial purposes of a single party? How could this be enforced?

Additionally, FS RD 4517 does not allow the use of ORVs. But given its proximity to the popular Little Creek Trail, there is regular ORV use on this road. The 'unsaid' in this application, is that this will become a place for campers to congregate in the hundreds and ride their ORVs. Who will enforce the regulations and ensure riders are only riding on appropriate trails and not the roadway? Who will manage the policing of trespassing? The injuries? You must consider the legality and suitability of the roadways for this use, as well as the associated noise, hazard, and risk the greater community is being asked to take on.

Property Values:

It should be considered that the party behind the application is also the declarant and governing person behind the development of Granite Creek and its subsequent Protected Covenants, Restrictions, and Conditions (CC&Rs), which were developed to maintain the character and property value of the community. Pat Deneen is the registered agent of Granite Creek Ranches LLC, the Declarant of the CC&Rs of Granite Creek Ranches, the community sharing property lines with this proposed development. Page 1 of the Declaration states, "It is the intent of the developer that certain qualities and assets of the property be preserved, and it is desirable to protect the present and future property values thereof." In order to accomplish this goal, the document outlines restrictions for dwelling use for *residential* purposes only, a restriction of any *Business or Commercial activity*, and even limits an allowable number of outside Recreational Vehicles to one (1), which must be shielded from view with vegetation or a fence.

The community CC&Rs limit these uses as they are deemed essential for the preservation of property value, the presence of them is considered a risk to such. **Does the Grantor, Pat Deneen of Granite Creek Ranches LLC, and the applicant of this CUP, not have a fiduciary responsibility to uphold this agreement on behalf of the Grantees, the property owners of this community?** Building this proposal most certainly risks the property values of the community which he has a legal responsibility to uphold.

The site plan even utilizes an existing residential easement, of one of the Granite Creek properties, for substantial commercial activities. The bulk of the development is localized in the SW corner, directly next to surrounding homes.

Please review and consider the above when evaluating this CUP. I am grateful for your review and consideration.

Respectfully,
Katie Podobnik