

**BEFORE THE BOARD OF COMMISSIONERS
FOR CASSIA COUNTY, IDAHO**

NOTICE OF APPEAL HEARING

APPELLANT: Skyler Podeska, Dave & Brandi Perry, Aynsley & Bobbie Adams, Leroy Robinson c/o Jeffrey Brunson, Attorney for Appellants

RESPONDENT: T & H Property Holdings, LLC

NOTICE IS HEREBY GIVEN, that a hearing will be held on Monday, the 4th day of August, 2025, at 1:30 P.M. in the Cassia County Commission Chambers, Cassia County Courthouse Room #206, 1459 Overland Avenue, Burley, Idaho, before the Board of Commissioners for Cassia County on the decision of the Cassia County Planning and Zoning Commission granting Conditional Use Permit, Resolution No. 2025-01, and approving a subdivision plat for Cottonwood Acres Subdivision. The site of the proposed subdivision is located at approximately 1125 East 900 South, Albion, Cassia County, Idaho.

Please note in particular: This is an appeal hearing and will be determined based upon the record made before the Cassia County Planning and Zoning Commission. No new factual evidence will be received or considered.

Written argument must be submitted by the Appellant to the Commissioners' Office at Cassia County Courthouse, Room #210, 1459 Overland Avenue, Burley, Idaho, prior to 3: 00 o'clock p.m., prevailing local time on Friday, July 11, 2025; no written argument will be accepted from the Appellant after that time.

Written argument must be submitted by the Respondent to the Commissioners' Office at Cassia County Courthouse, Room #210, 1459 Overland Avenue, Burley, Idaho, prior to 3:00 o'clock p.m., prevailing local time on Friday, July 25, 2025, after which time no written argument will be accepted from the Respondent.

The appellant and/or its authorized representative will appear at this hearing to provide to the Cassia County Board of Commissioners argument as to why the Conditional Use permit should not have been granted and the Subdivision Plat approved for the Cottonwood Acres Subdivision by the Cassia County Planning and Zoning Commission. The respondent and/or its representative will appear and present argument supporting the granting of the Conditional Use permit and approval of the Cottonwood Acres Subdivision Plat pursuant to the Cassia County Zoning Ordinance.

Time limits will be applied to oral argument as follows: Appellant will be allowed thirty minutes for its argument, but may reserve part of that time for rebuttal; Respondent will also be allowed thirty minutes for its presentation.

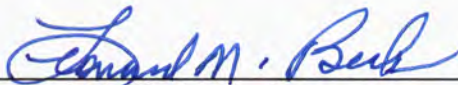
The focus and purpose of the hearing is to consider arguments made by the appellant as to why the decision made by the Cassia County Planning and Zoning Commission is in error. Interested persons **SHOULD NOT CONTACT** members of the Board of County Commissioners except in writing for the record or orally at the hearing.

The file concerning the application for the CUP Permit and Subdivision Plat approval and the appeal filed by the Appellant are available for review by the public at the Zoning and Building Department Office, Room #210 in the Cassia County Courthouse, 1459 Overland Ave., Burley, Idaho, prior to the hearing, and during normal business hours, as well as on the Cassia County Website at www.cassia.gov/zoning-hearing.

DATED this 9th day of June, 2025.

BOARD OF COUNTY COMMISSIONERS
FOR CASSIA COUNTY, IDAHO

Attest:
Joseph W. Larsen, Clerk

By: 
Leonard M. Beck, Chair

By: 
Deputy Clerk

NOTICE OF MAILING

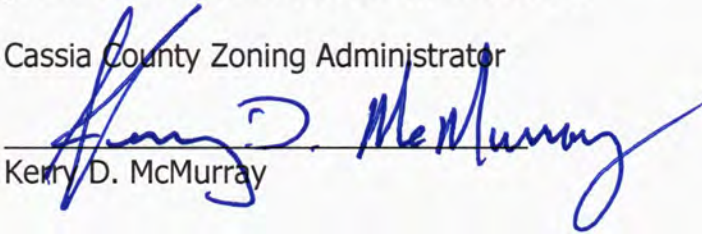
I hereby certify that on the 9th day of June, 2025 I served a true and correct copy of the foregoing NOTICE OF APPEAL HEARING, upon the following named parties at the indicated addresses:

Jeffrey Brunson
Attorney for Appellants
955 Pier View Drive
Idaho Falls, Idaho 83402
Email: jeff@beardstclair.com

T&H Property Holdings LLC
c/o Troy Mortensen
P.O. Box 96
Albion, Idaho 83311
Email: troy@systemtech.us

By depositing a copy thereof in the United States mail, first class postage prepaid at the Burley, Idaho Post Office, and by sending via email to the indicated email address.

Cassia County Zoning Administrator


Kern D. McMurray