



# Gozzer Road Abandonment and Vacation Public Hearing

# Statutory Authority

- Idaho Code § 40-203 governs abandonment and vacation of public rights-of-way
  - Residents and Property Holders may petition
  - Public hearing and written findings are both required
  - No abandonment permitted if any parcel is landlocked
  - Abandonment and vacation must serve the public interest

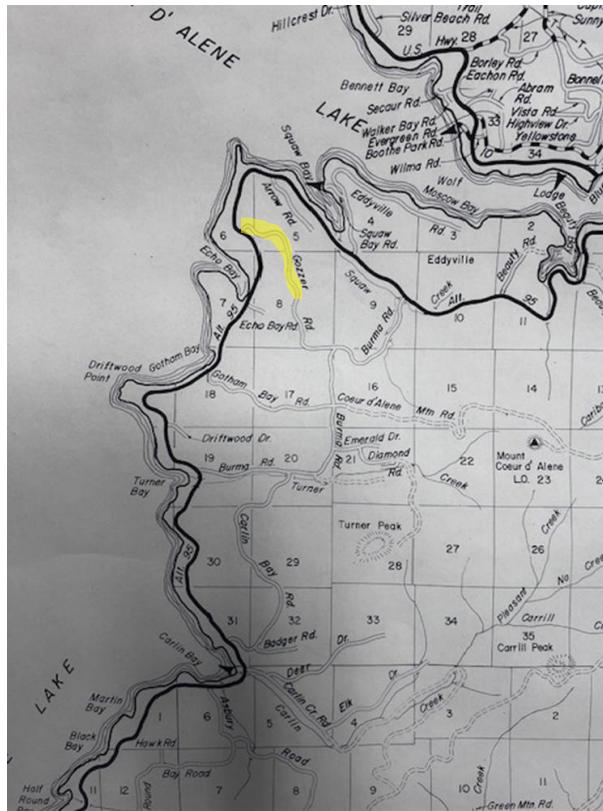
# Process Overview

- Petition submitted by Discovery Coeur d'Alene Investors and Gozzer Ranch HOA
  - Hearing held following corrected notice
  - Board receives testimony and evidence
  - Hearing closes and Board deliberates
  - Board issues Findings of Fact, Conclusions of Law and a Decision based upon the evidence it receives

# Road Background

- Gozzer Road historically a public road
  - Improved to District standards in 2006 as part of Gozzer Ranch PUD approval
  - Connects SH-97 and Burma Road

# Gozzer Road 1975 Location



# PETITION TO VACATE

- Joint petition from Discovery Coeur d'Alene Investors, LLC and Gozzer Homeowners Association, Inc.
- 1.9 miles of the road from State Highway 97 to just south of Bent Tree Lane

# ADJACENT PARCELS

- Staff identified multiple parcels adjacent to Gozzer Road that would be landlocked from a public road under Idaho precedent and statute.
- A private road leading to a public road does not meet Idaho access requirements.
- To grant abandonment and vacation, adjacent parcels must consent in writing to comply with case law and statute.

# CRITERIA TO GRANT

- Board must find no adjacent parcel is landlocked from access to a public road or public right-of-way, and
- Abandonment and vacation is in the public interest

# PUBLIC INTEREST POSITIONS

- Supporters of the abandonment and vacation submit that, although traveled by the public, the road no longer serves a public purpose in the road network system.
- Opponents of the abandonment and vacation submit that the road serves the public at large, and abandonment will have adverse travel consequences for the public.

# TESTIMONY RECEIVED BEFORE PUBLIC HEARING

- 41 Comments received before hearing opposed to the Petition.
- 1 Comment received before hearing in support of the Petition.
- 33 letters from adjoining land owners within Gozzer Ranch in support of the Petition were received from the HOA on February 5.
- All comments received by February 5, 2026, prior to distribution of the Board packet, were included in the materials provided to the Board. They were also available on the District's website.
- Comments not included in the Board packet will be read into the record today.

# Findings of Fact

- Does abandonment and vacation leave any parcel without direct access to a public road or public right-of-way?
- Is abandonment and vacation of this portion of Gozzer Road in the public interest of the District?

# VALUATION

- If the Board approves abandonment and vacation, the Board may require Petitioners to pay it the value of the abandoned and vacated road.
- The District uses an “across the fence” method of appraisal.



**DOES THE BOARD HAVE ANY  
QUESTIONS FOR STAFF?**