



BINGHAM COUNTY PLANNING & ZONING COMMISSION REGULAR MEETING AGENDA AND NOTICE

Bingham County Courthouse, Courtroom 1
501 N. Maple Street, Blackfoot, ID 83221

WEDNESDAY, OCTOBER 9, 2024 AT 6:00 P.M.

The purpose of this Agenda is to assist the Planning and Zoning Commission and interested citizens in the conduct of this Public Hearing. The Agenda is subject to change up to 48 hours before the meeting begins or by vote during the meeting. For more information on the Applications subject to this meeting, you may reference Bingham County Planning and Development Service's webpage at www.binghamid.gov/planning-zoning-commission

WRITTEN TESTIMONY: Per Bingham County Code Section 10-3-6(A)(8), all written testimony and exhibits must be submitted to the Planning and Development Services Department to be included in the official record. Any written testimony greater than two (2) pages is required to be submitted no less than eight (8) calendar days before this Public Hearing or it will not be accepted.

ORAL TESTIMONY: Any citizen who wishes to address the Planning and Zoning Commission on a Public Hearing agenda item must first complete an Oath of Affirmation which will be given to the Chairman of the Commission at the time testimony is offered. In order to keep a clear audio recording of this Public Hearing, when testifying, a person must come to the podium and state his/her name and address for the record; there will be a five (5) minute time limitation for testimony by citizens. Testimony should not be repetitious of other testimony already given, should not be personally malicious, and should be directed specifically to whether the application meets or does not meet the regulations of Bingham County Code or Idaho Code. Comments and/or questions will not be accepted from the audience. Booing, cheering, or other inappropriate gestures will not be tolerated. To review Meeting Procedures for Public Hearings, you may reference the above-mentioned webpage.

RECESS: The Planning and Zoning Commission may call a recess, as deemed necessary, to allow Planning and Zoning Commission members and participants a brief rest period.

ADA COMPLIANCE: In accordance with the American with Disabilities Act/504 Compliance, individuals who need accessible communications or other accommodation in order to participate are invited to make their needs known to the Bingham County Clerk, 3 to 5 days in advance, at (208) 785-7040.

A. DISCLOSURE OF CONFLICTS OF INTEREST, EX-PARTE COMMUNICATIONS, AND/OR SITE VISITS. Disclose any communication, including who was present and the basic substance of the conversation. Disclose if a site visit was made, the location of the site visit, and what was seen.

B. PUBLIC HEARING ITEMS:

- 1. VARIANCE TO THE SETBACK REQUIREMENT FROM AN EASEMENT TO A STRUCTURE (ACTION ITEM: DECISION)** Property owner George Kimball requests a variance of approx. 14-feet to the required 20-foot setback from an easement to two (2) existing structures (Daniel and Angela Kimball’s residence/care facility and an accessory structure) pursuant to Bingham County Code Section 10-6-3 to allow for the development of a private easement/road extending access to the northerly parcel he owns for a future single-family residence, located north of 56 E River Road, Blackfoot, Idaho, on lands zoned “A” Agriculture. The variance is requested as creating a new approach to George Kimball’s property will not meet the Bingham County Approach Spacing Standards for required spacing between driveway approaches and therefore an existing access through Daniel and Angela Kimball’s property will need to be utilized. Pursuant to Bingham County Code Section 10-10-5 *Variances*, the Applicant must show an undue hardship because of characteristics of the site and that the variance is not in conflict with the public interest. **Approx. Location: 56 E River Road, Blackfoot, Idaho, Parcel No. RP0413205 consisting of 1 acre and the adjacent parcel to the north, Parcel No. RP0413207 consisting of 1.43 acres. Located in T2S, R36E Sec 06**

- 2. BINGHAM COUNTY CODE TITLE 10 CHAPTER 3 “ADMINISTRATION; HEARING REGULATIONS” AND TITLE 10 CHAPTER 10 “APPEALS AND VARIANCES” MODIFICATIONS, ADDITIONS AND/OR DELETIONS 2nd HEARING (ACTION ITEM: RECOMMENDATION)** A second Public Hearing will be held before the Planning and Zoning Commission to review proposed modifications, additions, or deletions to Bingham County Code Title 10 Chapter 3 “*Administration; Hearing Regulations*” and Title 10 Chapter 10 “*Appeals and Variances*” as directed by the Planning and Zoning Commission at the first Public Hearing held on August 27, 2024.

C. ADMINISTRATIVE ITEMS:

- 1. CONSENT ITEMS (ACTION ITEM: DECISION)** Ratify the Planning and Zoning Meeting Minutes and Decisions from 8/14/2024, 8/27/2024, and 9/11/2024.

- 2. ITEMS OF INTEREST (ACTION ITEM: DISCUSSION)**
 - a. Review upcoming Public Hearing items
 - b. Questions/items from Commission Members
 - c. Planning and Development Services Update

D. MEETING ADJOURNMENT (ACTION ITEM: DECISION)