

**BINGHAM COUNTY PLANNING AND ZONING COMMISSION
PUBLIC HEARING DATE: OCTOBER 9, 2024**

STAFF REPORT

APPLICATION FOR: Variance to the setback requirement from an easement to two (2) existing structures

APPLICANT: George Kimball

PROPERTY OWNERS: George Kimball and
Daniel and Angela Kimball

REQUESTED ACTION: 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 located on Daniel and Angela Kimball’s property, specifically a residence and an accessory building, 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 owned by George Kimball for a future single-family dwelling, located north of 56 E River Road, Blackfoot, ID, 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 Road Approach Standards for required distance between approaches and therefore an existing access through Daniel and Angela Kimball’s property will need to be utilized. The Applicant has obtained deeded easement access to the Daniel and Angela Kimball property and is compliant with Bingham County Code Section 10-6-8 *Easement Regulations*. The construction of the private easement/road will be subject to review and approval by the Fire Chief/Marshal as part of the Building Permit Application process and should be constructed as depicted on the Record of Survey (Exhibit A-6) recorded on July 10, 2024 as Instrument No. 763518.

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.

PARCEL INFORMATION:

Approx. Parcel Locations: George Kimball: North of 56 E River Road, Blackfoot, Idaho, Parcel No. RP RP0413207 consisting of 1.43 acres

Daniel and Angela Kimball: 56 E River Road, Blackfoot, Idaho, Parcel No. RP0413205 consisting of 1 acre

Township, Range & Section Township 2 South, Range 36 East, Section 06



Current Land Use: The southerly parcel owned by Daniel and Angela Kimball contains their primary residence/care facility and an accessory structure. The parcel also has a 70-foot-tall monopole wireless communication facility, known as the *Rose North Monopole* owned and operated by Vision Wifi, Inc., erected on June 23, 2017.

The northerly parcel owned by George Kimball is primarily vacant ground with some accessory structures which he has been working on cleaning up for construction of his future residence.

Flood Plain: No
 City Impact Area: No
 High Nitrate Priority Area: No
 Fire District: Shelley/Firth
 School District: Firth

ZONING AND COMPREHENSIVE PLAN:

Zoning: "A" Agriculture

Comprehensive Plan
 Map Designation: Agriculture Map Area

Surrounding land uses: Agriculture to the North, East, and West with Residential/Agriculture and Agriculture to the south consisting of a combination of residential parcels and larger agriculturally farmed parcels.

BINGHAM COUNTY CODE, TITLE 10 ZONING REGULATIONS:

**CHAPTER 6
 HEIGHT, SETBACK, FRONTAGE AND AREA REGULATIONS**

10-6-3: SETBACK FROM ROAD RIGHT-OF-WAY OR FRONT PROPERTY LINE:

The following setback distances shall apply to all permitted uses:

	From ROW	ROW Minimum Width
I-15 (Federal)	50 feet	Varies
State highway (arterial)	50 feet	100 feet
Major collector (> 1,000 vpd ¹)	30 feet	70 feet
Collector (< 1,000 vpd ¹)	30 feet	60 feet



Local	30 feet	50 feet
Private road/easement	20 feet	50 feet ²

**CHAPTER 2
DEFINITIONS**

VARIANCE: A modification of the bulk and placement requirements of this Title as to size, coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, height of buildings, or other ordinance provision affecting the size or shape of a structure or the placement of the structure upon a parcel, or the size thereof.

**CHAPTER 10
APPEALS AND VARIANCES**

Pursuant to Bingham County Code, Section 10-10-5 *Variances*, the Commission may authorize in specific cases such variance, as herein defined, from the terms of this title as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this title would result in unnecessary hardship. A variance shall not be considered a right or a special privilege, but may be granted to an applicant only upon a showing of undue hardship because of characteristics of the site and that the variance is not in conflict with the public interest.

A. Application and Standards for Variances: A variance from the terms of this title shall not be granted by the commission unless and until a written application for a variance is submitted to the Administrator and the commission, containing:

1. Name, address and phone number of Applicant. *The Variance Application contains this information.*
2. Legal description of property. *Applicant provided a copy of a Quitclaim Deed.*
3. Description of variance requested. *The Applicant provided a Narrative, Exhibit A-2, with the Variance Application.*
4. A statement demonstrating that the requested variance conforms to the following Standards (*see Applicant's Exhibit A-3*):
 - a. That unique site characteristics exist which are peculiar to the land involved and which are not applicable to other lands. *The Applicant stated the property owned by his parents has two approaches comprising a circular driveway. Adding an additional approach to the Applicant's parcel would not meet the Bingham County Road Approach Standards and therefore the only option for access would be to use an existing driveway approach and convert it to a private road/easement.*

Staff Comments: The distance between approaches for East River Road is 190 feet as it has a functional classification of a major collector road. The existing two approaches on Daniel and Angela's parcel do not meet this standard therefore Public Works Director Dusty Whited is requiring the second approach be terminated.

b. That a literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same zone under the terms of this title. *The Applicant stated many, if not all, of the homes in the direct area have driveways that do not meet the current Road Approach Standards.*

c. That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures or buildings in the same zone. *The Applicant stated by granting the variance he does not believe there would be any affect to other lands, structures or buildings in the same zone.*

d. That the public interest will not be harmed. *The Applicant stated both his parents and the neighbors are satisfied with the proposed variance and therefore he doesn't believe the public's interests will be harmed.*

5. A variance may not be granted unless the commission makes specific findings of fact based directly on the particular evidence presented to it which supports conclusions that the above standards and conditions have been met by the Applicant.

6. A variance may be granted in compliance with Idaho Code Section 67-6516, and notice and an opportunity to be heard shall be provided to property owners adjoining the subject property.

B. Variance Procedure: Upon receipt of an Application for a variance, the Commission shall allow all affected persons an opportunity to be heard. The Commission shall use the hearing procedures in Chapter 3 of this Title.

C. Supplementary Conditions And Safeguards: Under no circumstances shall the Commission grant or allow a variance, expressly or by implication, prohibited by the terms of this title. In granting any variance, the Commission may prescribe appropriate conditions and safeguards in conformity with this Title. Violation of such conditions and safeguards, when made part of the terms under which the appeal or variance is granted, shall be deemed a violation of this Title.

D. Notification To Applicant: Within ten (10) days after a decision has been rendered, the Administrator shall provide the Applicant with written notice of the action on the request for variance.

E. Appeal To Board Of County Commissioners: The Applicant or any affected person may appeal the decision of the Commission relating to a variance, to the Board, provided the appeal follows the procedures as identified in section [10-10-2](#) of this chapter.

IDAHO CODE SECTION 67-6516:

67-6516. VARIANCE — DEFINITION — APPLICATION — NOTICE — HEARING. Each governing board shall provide, as part of the zoning ordinance, for the processing of applications for variance permits. A variance is a modification of the bulk and placement requirements of the ordinance as to lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, height of buildings, or other ordinance provision affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots. A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon a showing of undue hardship because of characteristics of the site and that the variance is not in conflict with the public interest. Prior to granting a variance, notice and an opportunity to be heard shall be provided to property owners adjoining the parcel under consideration and the manager or person in charge of the local airport if the variance could create an aviation hazard as defined in section 21-501, Idaho Code. Denial of a variance permit or approval of a variance permit with conditions unacceptable to the landowner may be subject to the regulatory taking analysis provided for by section 67-8003, Idaho Code, consistent with the requirements established thereby.

NOTICE OF PLANNING AND ZONING COMMISSIONS PUBLIC HEARING: In compliance with Idaho Code Title 67 Chapter 65 and Bingham County Code Section 10-3-6:

1. Notice was sent to Government Agencies and Property Owners within 300' of the subject parcels on September 17, 2024.
2. Notice was published in the Idaho State Journal and Post Register newspapers on September 14, 2024.
3. Notice was posted on-site at two locations (Daniel and Angela Kimball's parcel and George Kimball's parcel) and photographs of the project site were taken on September 24, 2024.

TESTIMONY RECEIVED PRIOR TO THE PUBLIC HEARING:

- (T-1) Bingham County Surveyor had no comments or concerns on the Application.
- (T-2) Bingham County Public Works stated East River Road is a major collector and the speed limit is not posted, therefore the required spacing between approaches is 190 feet and the current measurement between the two approaches is only 112 feet.

COMMISSION DISCUSSION: Pursuant to Bingham County Code Section 10-10-5(A)(4), a variance may not be granted unless the Planning and Zoning Commission makes specific findings of fact based directly on the particular evidence presented to it which supports conclusions that the above standards and conditions have been met by the Applicant:

1. Did the Applicant provide a statement demonstrating that the requested variance conforms to the following standards; and

2. That unique site characteristics exist which are peculiar to the land involved and which are not applicable to other lands; and
3. That a literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same zone under the terms of this title; and
4. That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures or buildings in the same zone; and
5. That the public interest will not be harmed.

COMMISSION DECISION: The Commission may approve or deny the request for a Variance. The Planning and Zoning Commission Decision may be appealed to the Board of County Commissioners in writing within 10 days from the date of the Reason and Decision.

Sample Motion for Approval: Based on the record, I move to approve the request of George Kimball and Daniel and Angela Kimball for a variance to the 20- foot setback requirement from an easement to two (2) existing structures of approx. 14-feet located at 56 E River Road, Blackfoot, Idaho for the development of a new private road/easement through Daniel and Angela Kimball’s property to the Applicant’s parcel, as presented based on:

1. the unique characteristics of the property, which are _____; and
2. that the desired location will not cause harm to the public.

Sample Motion for Denial: Based on the record, I move to deny the request of George Kimball and Daniel and Angela Kimball for a variance to the 20- foot setback requirement from an easement to two (2) existing structures of approx. 14-feet located at 56 E River Road, Blackfoot, Idaho, for the development of a new private road/easement through Daniel and Angela Kimball’s property to the Applicant’s parcel, as presented based on Bingham County Code Section _____ or Idaho Code Section _____ (must specifically state which section and basis for denial)

ATTACHMENTS

EXHIBIT #

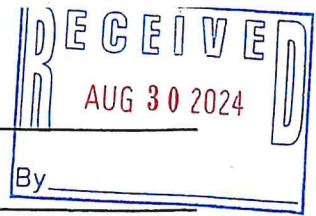
Application for Variance and documents provided by the Applicants	A1 – A5
Maps	S2 – S5
Verification of compliance with notice requirements and photographs of the subject parcels	S6 – S9
Testimony received prior to the Planning and Zoning Commissions Public Hearing	T1 - T2



Bingham County

Planning & Development Department
490 N. Maple Street, Suite A, Blackfoot, ID 83221
Phone: (208) 782-3178 Fax: (208) 782-3868

No. _____



Application Date 8/27/24

By _____

APPLICATION FOR VARIANCE

Applicant: <u>George Kimball</u>	Phone: <u>(208) 680-9808</u>
Address: <u>54 E. River Rd.</u>	City/Zip: <u>Blackfoot 83221</u>
Location: <u>to be determined</u>	(Physical location if mailing address different.)
*Applicant Must be Property Owner(s) Email: <u>georgekimball44@gmail.com</u>	

Location and Legal Description			NOTE: Attach "Recorded" Deed.
<u>25</u>	<u>36E</u>	<u>6</u>	Existing Zone <u>A</u>
Township	Range	Section	Property Size <u>1.427 ACRES</u>
Parcel No. <u>RPO413207 + RPO413205</u>			

Proposed Variance and Reason:

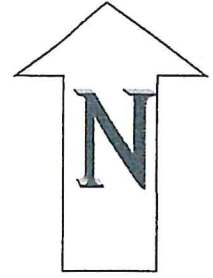
The variance is for an easment to my property where we will build our new house. The easment will be an existing driveway of my parents, Daniel + Angela Kimball, that cuts through their property and leads directly to my property in line with where my driveway will be.

The reason for the variance is because the distance between the easment and the existing buildings is only 6' which doesn't meet the set back standards (10-6-3) of 20'. (See attached site plan)



Site Plan -- Show drawing of location (including roads, all buildings, parking areas, service areas, yards, signs, utilities, traffic pattern, etc.). **Please show all distances between buildings & property lines.**

See Attached Exhibits A, B, and C



Appointment of Designated Agent

I/We the undersigned owner(s) of the property described throughout this Application, hereby appoint the following person as my/our representative for all transactions regarding this Application between myself/ourselves, as owner(s), and Bingham County.

Property Owner(s): George Kimball 8/27/24
Date
Property Owner(s): _____
Date
Designated Agent: _____

APPLICATION FEE: \$350

In granting a Variance the Planning & Zoning Commission may prescribe appropriate conditions and safeguards in conformity with the current Bingham County Zoning Ordinance. Violation of such conditions and safeguards, when made part of the terms under which the Variance is granted shall be deemed a violation of the Ordinance. The approval of a Variance does not permit the violation of any section of the Building Code, or any other County Ordinance. All Variance, whether approved or denied have a ten(10) day appeal period and must be appealed in writing at the Bingham County Planning & Zoning Office.

DECLARATION: By signing this application, it is understood and agreed that permission is hereby given to the duly authorized representative of Bingham County to, place & remove signs on the subject property and verify authenticity of the applicant(s) and property owner(s). It is further understood that the Zoning Administrator and staff may inspect the subject property, take photographs and obtain any verifications and data necessary for preparation of its report to the Planning & Zoning Commission. I hereby acknowledge that I have read this application and understand the contents. I also state that the above information is correct.

APPLICANT(S):

Signature: George Kimball Date: 8/27/24

Signature: _____ Date: _____

Appointment of Designated Agent

I/We the undersigned owner(s) of the property described throughout this Application, hereby appoint the following person as my/our representative for all transactions regarding this Application between myself/ourselves, as owner(s), and Bingham County.

Property Owner(s): _____

_____ Date

Property Owner(s) : _____

_____ Date

Designated Agent: _____

APPLICATION FEE:

\$350

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APPLICANT(S):

Signature: Paul K. Kimball

Date: 9/13/2024

Signature: Angela Kimball

Date: 9/13/2024

Narrative for Variance Application

Applicant: George Kimball

I met with Bingham County Planning and Zoning to discuss the division and building rights for the property I currently own. I then met with Bingham County Roads and Bridges to discuss the easement. The property was evaluated by the county, and only one of the two possible entry options was considered to be a viable option. The other would not work because it did not meet the 105-foot minimum frontage (10-6-7). Bingham County told me that since the viable entry point would become an easement, rather than a driveway, I would need to apply for a variance. The variance is necessary because an easement requires a 20-foot setback from all structures (10-6-3), and the existing structures are only six feet from the edge of the driveway. This easement will only be used to access a single-family dwelling and the land is owned by the same family. The future house will comply with the 20-foot setback standard and the only other structures in the area have been removed or are currently in the process of being removed. The land will be completely cleared prior to the building permit being issued.

Exhibit
A-2

10-10-5: VARIANCES: (Please provide a response to each requirement below)

The commission may authorize in specific cases such variance, as herein defined, from the terms of this title as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this title would result in unnecessary hardship. A variance shall not be considered a right or a special privilege, but may be granted to an applicant only upon a showing of undue hardship because of characteristics of the site and that the variance is not in conflict with the public interest.

A. Application And Standards For Variances: A variance from the terms of this title shall not be granted by the commission unless and until a written application for a variance is submitted to the Administrator and the commission, containing:

1. Name, address and phone number of applicant.
2. Legal description of property.
3. Description of variance requested.

1) George Kimball, 54 E. River Pt. Blackfoot, ID 83221, (208) 687-9808
2) See Attached (Exhibit 1)
3) Variance for easement through Daniel + Angela Kimball's existing driveway to my adjoining property + future house. The easment does not currently meet (10-6-3) set back distances of 20' due to the 2 existing structures that are only 6' from easment.

4. A statement demonstrating that the requested variance conforms to the following standards:

a. That unique site characteristics exist which are peculiar to the land involved and which are not applicable to other lands.

The property that the easment I would use has 2 driveways, enters connected with a U shaped driveway and because the 2 entries do not meet the 105' minimum (10-6-7) the only viable option is the Existing driveway that connects my property to the main road. The 2 existing buildings are only 6' from easment requiring the variance.

b. That a literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same zone under the terms of this title.

Many, if not all of the homes in the direct area have driveways that do not meet the current standards.

- c. That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures or buildings in the same zone.

I believe that granting this variance would
not have any affect on any other lands
structures or buildings in the same zone.

- d. That the public interest will not be harmed.

Both my Parents + Neighbors are satisfied with
the proposed variance. So I don't believe any
public interests would be harmed. The future intended
use is for a single family dwelling.

5. A variance may not be granted unless the commission makes specific findings of fact based directly on the particular evidence presented to it which supports conclusions that the above standards and conditions have been met by the applicant.
6. A variance may be granted in compliance with Idaho Code section 67-6516, and notice and an opportunity to be heard shall be provided to property owners adjoining the subject property.
- B. Variance Procedure: Upon receipt of an application for a variance, the commission shall allow all affected persons an opportunity to be heard. The commission shall use the hearing procedures in chapter 3 of this title.
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- D. Notification To Applicant: Within ten (10) days after a decision has been rendered, the Administrator shall provide the applicant with written notice of the action on the request for variance.
- E. Appeal To Board Of County Commissioners: The applicant or any affected person may appeal the decision of the commission relating to a variance, to the Board, provided the appeal follows the procedures as identified in section 10-10-2 of this chapter. (Ord. 2012-08, 10-9-2012, eff. 10-26-2012)

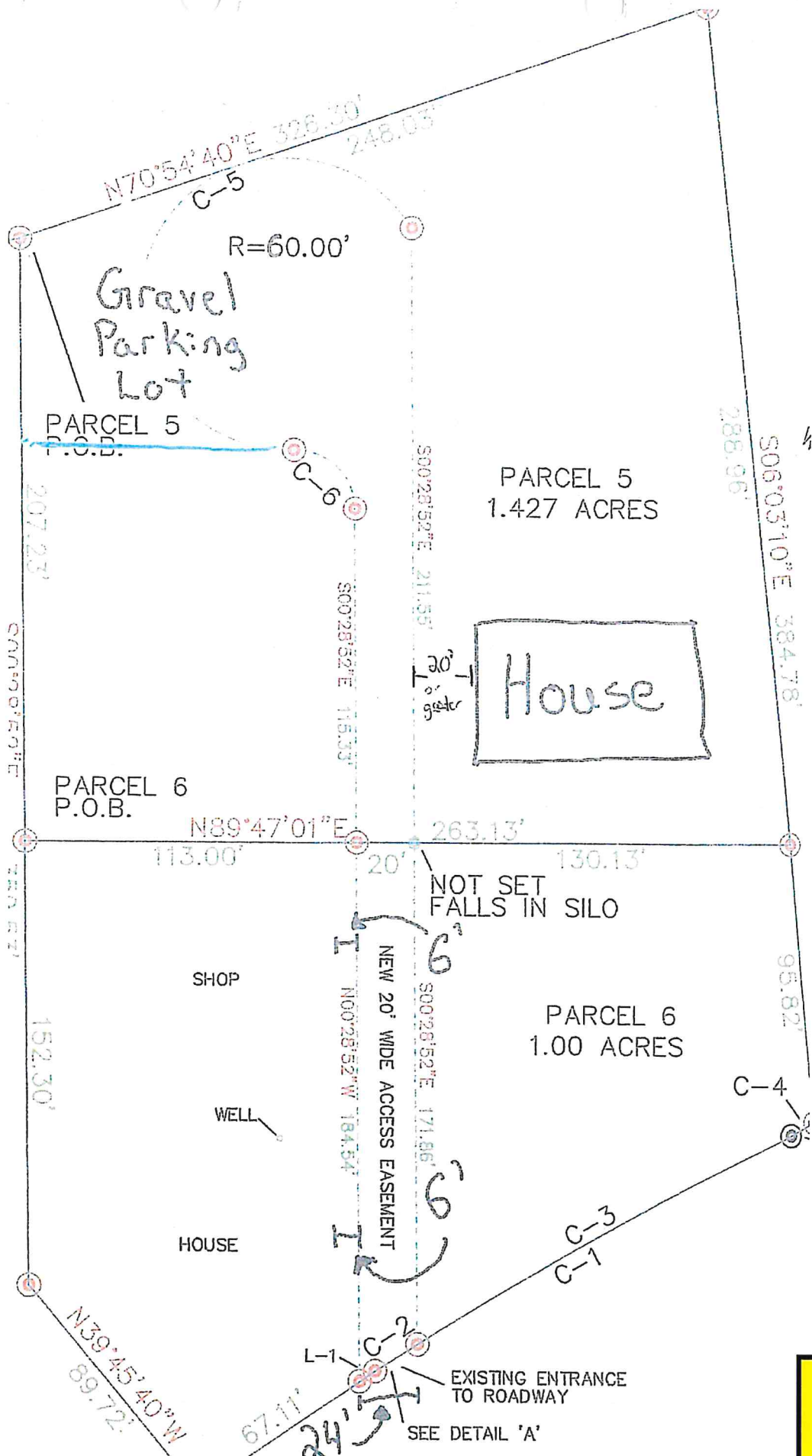
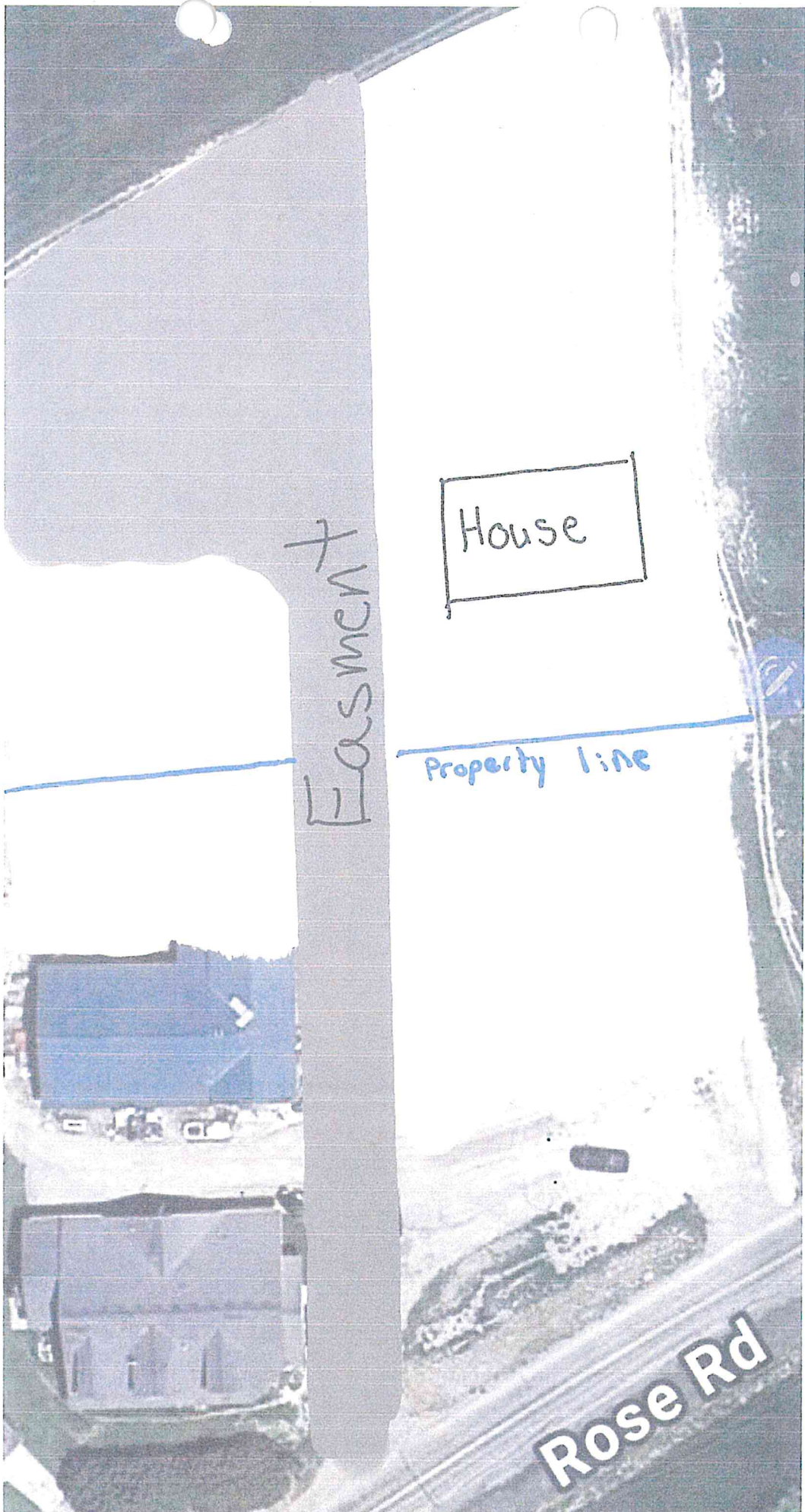


Exhibit A-4





AFTER RECORDING MAIL TO:

Instrument # 764387

BINGHAM COUNTY

8-16-2024 11:51:32 AM No. of Pages: 3

Recorded for : 1022 ANGELA KIMBALL

PAMELA W. ECKHARDT

Fee: 15.00

Ex-Officio Recorder Deputy



Space Above This Line for Recorder's Use Only

QUITCLAIM DEED

Date:

For Value Received
Daniel Kimball and Angela Kimball

do(es) hereby convey, release, remise, and forever quit claim unto ,
George Kimball

whose address is ,
66 E River Rd. Blackfoot ID 83221

herein after called the Grantee, the following described premises situated in Bingham
County, Idaho, to-wit:

See Exhibit A

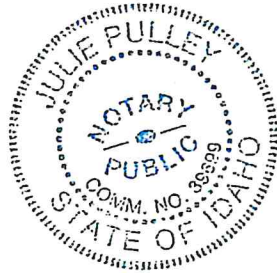
together with its appurtenances.

**Exhibit
A-5**

Daniel Kimball
Angela Kimball

STATE OF Idaho)
COUNTY OF Bingham) ss.

On this 8/16/2024, before me, a Notary Public in and for said State, personally appeared Daniel Kimball and Angela Kimball, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Julie Pulley
Notary Public of Idaho
Residing at: Blackfoot, Idaho
Commission Expires: 03/17/2027

PARCEL 5

Exhibit A

BEGINNING AT THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 36 EAST OF THE BOISE MERIDIAN; RUNNING THENCE S.00°04'33"W. ALONG THE SECTION LINE 2639.67 FEET TO THE WEST 1/4 CORNER OF SAID SECTION 6; THENCE S.00°04'33"W. ALONG SAID SECTION LINE 836.68 FEET; THENCE S.89°55'27"E. 1031.28 FEET; THENCE N.70°54'40"E. 78.27 FEET TO THE TRUE POINT OF BEGINNING; RUNNING THENCE N.70°54'40"E. 248.03 FEET; THENCE S.06°03'10"E. 288.96 FEET; THENCE S.89°47'01"W. 263.13 FEET; THENCE N.00°28'52"W. 207.23 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH: A 20 FOOT WIDE ACCESS EASEMENT THROUGH PARCEL 5 AND PARCEL 6 TO INGRESS AND EGRESS FOR WHICH IS MORE SPECIFICALLY DESCRIBED AS FOLLOWS.

BEGINNING AT THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 36 EAST OF THE BOISE MERIDIAN; RUNNING THENCE S.00°04'33"W. ALONG THE SECTION LINE 2639.67 FEET TO THE WEST 1/4 CORNER OF SAID SECTION 6; THENCE S.00°04'33"W. ALONG SAID SECTION LINE 836.68 FEET; THENCE S.89°55'27"E. 1031.28 FEET; THENCE N.70°54'40"E. 78.27 FEET; THENCE S.00°28'52"E. 207.23 FEET; THENCE N.89°47'01"E. 113.00 FEET TO THE TRUE POINT OF BEGINNING; RUNNING THENCE N.00°28'52"W. 115.33 FEET TO A POINT OF CURVE WITH A RADIUS OF 20.00 FEET AND A CHORD BEARING N.46°32'45"W. 28.60 FEET; THENCE TO THE LEFT ALONG SAID CURVE 32.16 FEET THROUGH A CENTRAL ANGLE OF 92°07'47" TO A POINT OF REVERSE CURVE WITH A RADIUS OF 50.00 FEET AND A CHORD BEARING N.27°40'14"E. 86.36 FEET; THENCE TO THE RIGHT ALONG SAID CURVE 209.93 FEET THROUGH A CENTRAL ANGLE OF 240°33'46"; THENCE S.00°28'52"E. 211.55 FEET; THENCE CONTINUING S.00°28'52"E. 171.86 FEET TO THE NORTH RIGHT-OF-WAY LINE OF EAST RIVER ROAD, SAID POINT BEING ON A NON-TANGENT CURVE WITH A RADIUS OF 1548.36 FEET AND A CHORD BEARING S.57°42'07"W. 17.23 FEET; THENCE TO THE LEFT ALONG SAID NON-TANGENT CURVE 17.23 FEET THROUGH A CENTRAL ANGLE OF 00°38'15"; THENCE S.56°22'58"W. ALONG SAID NORTH RIGHT-OF-WAY LINE 6.40 FEET; THENCE N.00°28'52"W. 184.54 FEET TO THE TRUE POINT OF BEGINNING.

SUBJECT TO: EXISTING EASEMENTS OF RECORD.

CONTAINING 1.427 ACRES

764387

Exhibit 1

Exhibit 1



IDAHO FALLS (208) 542-2665
REXBURG (208) 359-2665

JUNE 27, 2024

**LEGAL DESCRIPTION
FOR
GEORGE KIMBALL**

PROPOSED (PARCEL 5)

BEGINNING AT THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 36 EAST OF THE BOISE MERIDIAN; RUNNING THENCE S.00°04'33"W. ALONG THE SECTION LINE 2639.67 FEET TO THE WEST 1/4 CORNER OF SAID SECTION 6; THENCE S.00°04'33"W. ALONG SAID SECTION LINE 836.68 FEET; THENCE S.89°55'27"E. 1031.28 FEET; THENCE N.70°54'40"E. 78.27 FEET TO THE TRUE POINT OF BEGINNING; RUNNING THENCE N.70°54'40"E. 248.03 FEET; THENCE S.06°03'10"E. 288.96 FEET; THENCE S.89°47'01"W. 263.13 FEET; THENCE N.00°28'52"W. 207.23 FEET TO THE TRUE POINT OF BEGINNING.

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SUBJECT TO: EXISTING EASEMENTS OF RECORD.

CONTAINING 1.427 ACRES

BOUNDARY LINE ADJUSTMENT SURVEY FOR:

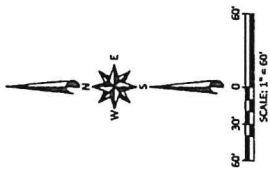
DAN AND GEORGE KIMBALL

A PARCEL OF LAND SITUATED IN THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 36 EAST OF THE BOISE MERIDIAN, BINGHAM COUNTY, IDAHO

SHEET 1 OF 1

Instruments # 763518

Surveyed and Plotted by Eagle Rock Engineering, Inc. of Boise, Idaho, on 07/11/2007. Approved by the State of Idaho on 07/11/2007. Page 6 of 8. BLM



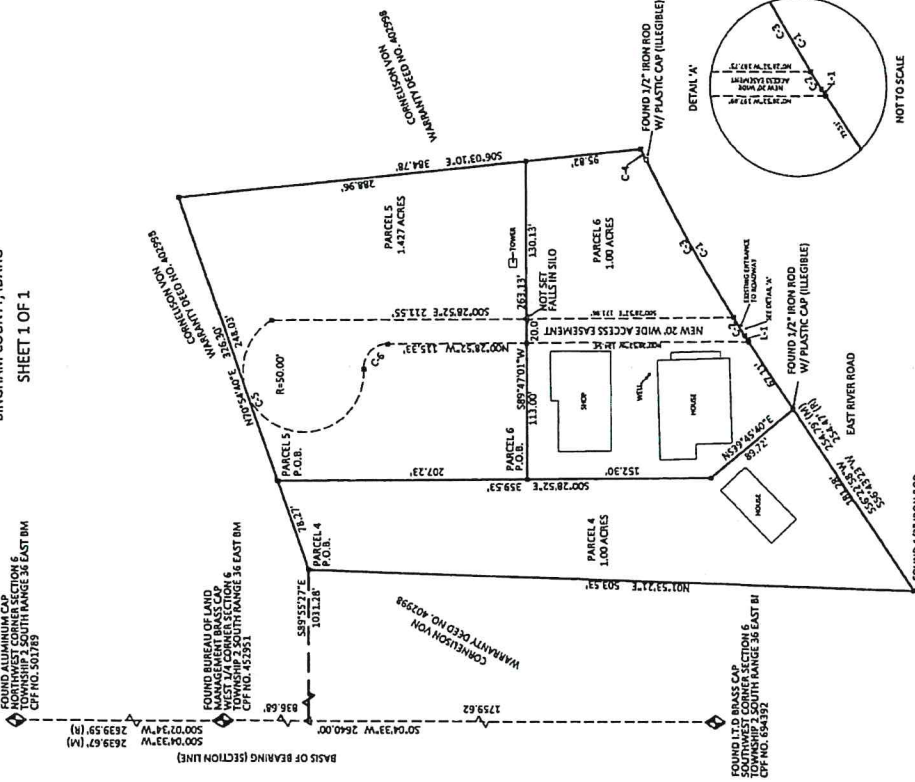
NARRATIVE
EAGLE ROCK ENGINEERING WAS COMMISSIONED BY GEORGE KIMBALL TO SURVEY LAND INTERESTS TO PERSONAL REPRESENTATIVES DEED SURVEY AND ADJUSTMENT SURVEY. THE SURVEY WAS PERFORMED BY HARPER LEVETT ENGINEERING IN 1994 FOR DAN KIMBALL PURSUANT TO INSTRUMENT NUMBER 436676 AND 406890. MONUMENTS WERE FOUND ALONG THE WEST BOUNDARY LINE AND THE SOUTHWEST CORNER OF RECORD POSITION VERSUS THE RECORD OF SURVEY AND THE PERSONAL REPRESENTATIVE DEEDS RECORD CALLS. THE MONUMENTS FOUND WERE HELD IN THE FIELD AS FOUND AND ADJUSTED TO FIT THE ORIGINAL SURVEY INSTRUMENT NUMBER 402998. DAN KIMBALL AND VON CONNELSON DEED OWNED THE NEW BOUNDARY LINES FOR THE KIMBALLS AND THE CONNELSONS. MONUMENTS WERE SET AROUND THE BOUNDARY AND THREE ALL MONUMENTS SET WERE ONE HALF INCH IRON RODS WITH PLASTIC CAPS (U.S. 9849). MONUMENTS FOUND WERE ONE HALF INCH IRON RODS WITH NO CAPS OR PLASTIC CAPS THAT WERE ILLEGIBLE. SECTION TIES TO THE PROPERTY ARE THE SAME AS SHOWN ON RECORD OF SURVEY 436676.

LEGEND
P.O.B. POINT OF BEGINNING
--- SECTION LINE
--- BOUNDARY LINE
--- EXISTING BUILDINGS
--- EASEMENT AS NOTED
--- TIE TO SECTION LINE

FOUND 1/2" X 24" IRON ROD AS NOTED
PLACED 1/2" X 24" IRON ROD WITH YELLOW PLASTIC CAP MARKED P.L.S. 989
CALCULATED POINT
P.L.S.S. CORNER AS NOTED



OFFICERATE
SUBMITTED BY: T. BASTEN
C. HAYES
APPROVED BY: K. BOLAND
PROJECT NO. 24025
DATE: JULY 2007
CAD NAME: GEORGE KIMBALL, INC./DMG



SURVEYOR'S CERTIFICATE
I, KURTIS J. BOLAND, DO HEREBY CERTIFY THAT I AM A LICENSED SURVEYOR IN THE STATE OF IDAHO, NUMBER 97659 AS PRESCRIBED BY THE LAWS OF THE STATE OF IDAHO. I FURTHER CERTIFY THAT I HAVE SUPERVISED THE SURVEY AND THAT THE MONUMENTS SHOWN ON THIS MAP HAVE BEEN CORRECTLY STAKED ON THE GROUND AS REPRESENTED HEREON.

Table with 2 columns: LINE, BEARING, DISTANCE. Row 1: 1-1, N45°27'33"E, 6.40

PARCEL 4
BEGINNING AT THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 36 EAST OF THE BOISE MERIDIAN; RUNNING THENCE S.00°04'33"W, ALONG THE SECTION LINE 2639.67 FEET TO THE WEST 1/4 CORNER OF SAID SECTION 6; THENCE S.00°04'33"W, ALONG THE SECTION LINE 1113.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE S.00°04'33"W, ALONG THE SECTION LINE 1113.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE S.00°04'33"W, ALONG THE SECTION LINE 1113.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE S.00°04'33"W, ALONG THE SECTION LINE 1113.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 5
BEGINNING AT THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 36 EAST OF THE BOISE MERIDIAN; RUNNING THENCE S.00°04'33"W, ALONG THE SECTION LINE 2639.67 FEET TO THE WEST 1/4 CORNER OF SAID SECTION 6; THENCE S.00°04'33"W, ALONG THE SECTION LINE 1113.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE S.00°04'33"W, ALONG THE SECTION LINE 1113.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE S.00°04'33"W, ALONG THE SECTION LINE 1113.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE S.00°04'33"W, ALONG THE SECTION LINE 1113.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 6
BEGINNING AT THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 36 EAST OF THE BOISE MERIDIAN; RUNNING THENCE S.00°04'33"W, ALONG THE SECTION LINE 2639.67 FEET TO THE WEST 1/4 CORNER OF SAID SECTION 6; THENCE S.00°04'33"W, ALONG THE SECTION LINE 1113.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE S.00°04'33"W, ALONG THE SECTION LINE 1113.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE S.00°04'33"W, ALONG THE SECTION LINE 1113.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE S.00°04'33"W, ALONG THE SECTION LINE 1113.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 1
BEGINNING AT THE NORTHWEST CORNER OF SECTION 6, TOWNSHIP 2 SOUTH, RANGE 36 EAST OF THE BOISE MERIDIAN; RUNNING THENCE S.00°04'33"W, ALONG THE SECTION LINE 2639.67 FEET TO THE WEST 1/4 CORNER OF SAID SECTION 6; THENCE S.00°04'33"W, ALONG THE SECTION LINE 1113.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE S.00°04'33"W, ALONG THE SECTION LINE 1113.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE S.00°04'33"W, ALONG THE SECTION LINE 1113.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE S.00°04'33"W, ALONG THE SECTION LINE 1113.00 FEET TO THE TRUE POINT OF BEGINNING.

RECORD CURVE DATA
Table with 3 columns: LINE, DELTA, RADIUS, LENGTH, CHORD. Row 1: C-1, 0°00'29", 1548.36', 165.96', 165.89'

CURVE TABLE
Table with 4 columns: LINE, DELTA, RADIUS, LENGTH, CHORD, CH. BEAR. Row 1: C-1, 0°00'29", 1548.36', 165.96', 165.89', N60°38'25"W



Owner/Agent: George Kimball / Angela & Daniel Kimball

Mailing Address: 54 E River Rd.

City/State/Zip: Blackfoot, ID 83221

Contact Phone #: 208-680-9808

Approach Permit #: 11-24

Road Grid # & Name: APPROACH ONLY

Approach Address #: W RIVER ROAD

Approved By: _____ Date: _____

Den 208-680-3006 Kimballstrescare@aol.com

Planning & Zoning

Zoning Permit #: _____ Buildable Lot: Single Residence Multiple Residents# _____

Frontage: _____ ft. Setbacks: _____ ft. Agriculture Commercial _____

Starting Date: _____ Est. Completion Date: _____ Approved By: _____ Date: _____

Notes/Comments: Approach Approval Only RP0413202

T2S R210E Sect 6

Road & Bridge

Initial Visit Date: 2-13-24 Time: 11:00 By: Boyd Jensen

Road Classification: Major collector R.O.W Width: 35 ft. Sight Distance Adequate? (Y) or (N) _____

Approach Type: Gravel Asphalt Concrete

*Non-BUILDING and Non-ADDRESSING, PROPERTY ACCESS ONLY
Re-application is required if future attempts to build, address, or make property improvements which require submission of a Building Permit application.

Address Posted Date: _____ Location: _____ By: _____

Mailbox Location Verified: _____ Date: _____ Approved By: _____

Notes/Comments: Can only use west approach. East approach must be blocked off.

Bingham County Public Right of Way Standards And Approach Ordinance Requirements & Restrictions, including Mailbox Placement, Approach Placement & Material, Culverts, Removal of Tree/Vegetation, Fencing, Ornaments, Landscaping and Maintaining of Address Posting, has been explained and provided to the home owner by the following designated Bingham County Representative:

Bingham County Representative's Name _____ Date _____

In accepting this permit, the permittee, its successors and assigns, agrees to hold Bingham County harmless from any liability caused by the installation, construction, maintenance or operation of the approach(es). **I certify that I am the owner or authorized representative of the proposed property to be served and agree to do the work required hereon in accordance with the General Requirements and Restrictions printed on the reverse side with the Special Conditions and Restrictions listed above.** This permit shall not be valid for excavation until, or unless, the provision of Idaho Code Title 55, Chapter 22 have been complied with. PRIOR TO EXCAVATION, call the Digline Location Service at Telephone No. 1-800-342-1585.

Accepted By: Boyd Jensen Date: _____ Witnessed By: _____

Final Inspection Prior to Issuance of a Certificate of Occupancy: APPROVED DISAPPROVED

Comments: _____

Signature of County Official: Boyd Jensen Date: 2/13/24

Untitled Map

Write a description for your map.

Legend

 54 E River Rd

Google Earth

Image U.S. Geological Survey

 54 E River Rd

400 ft

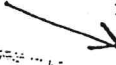

N

118' 30'

30'

30'

30'



Planned Area

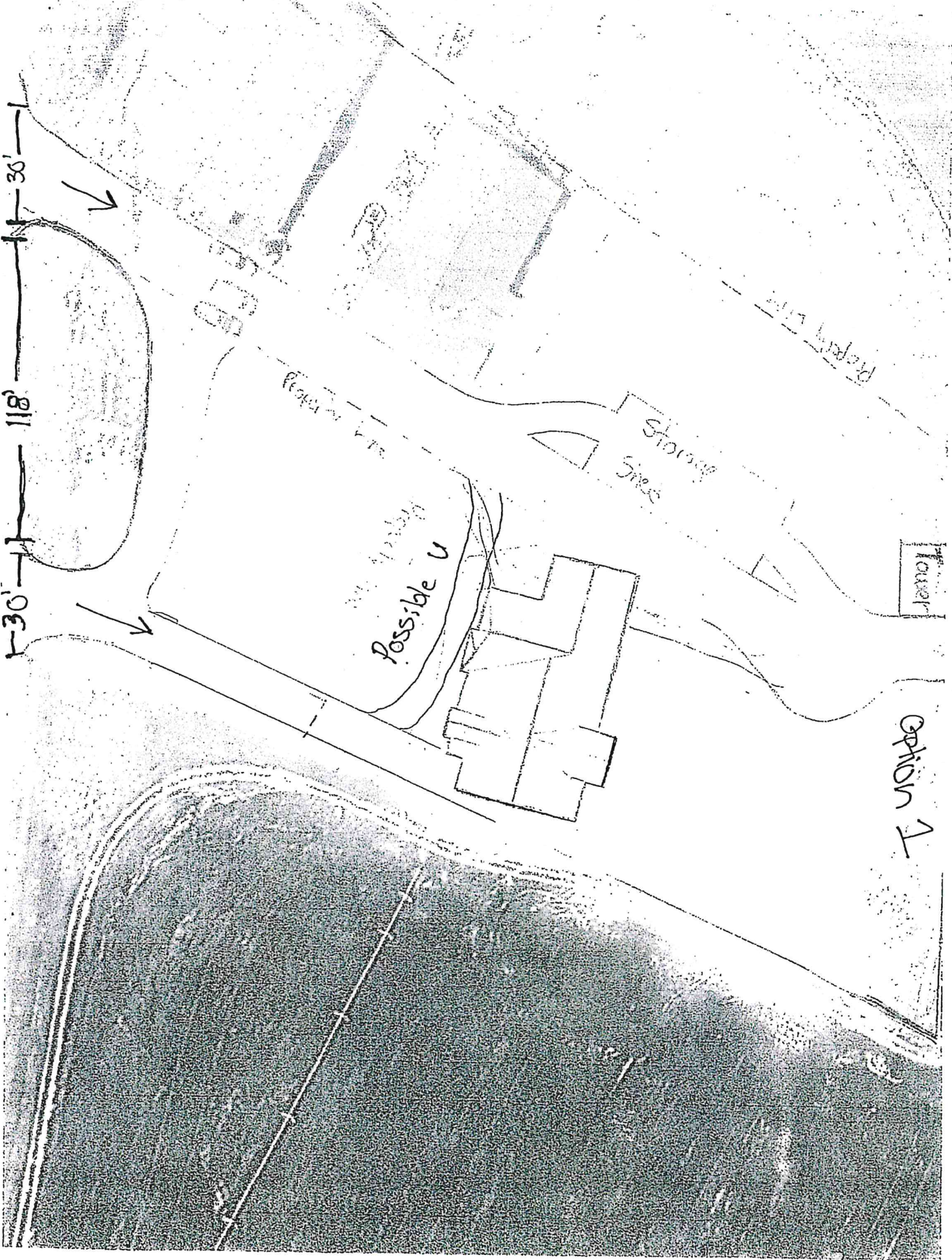
Possible U

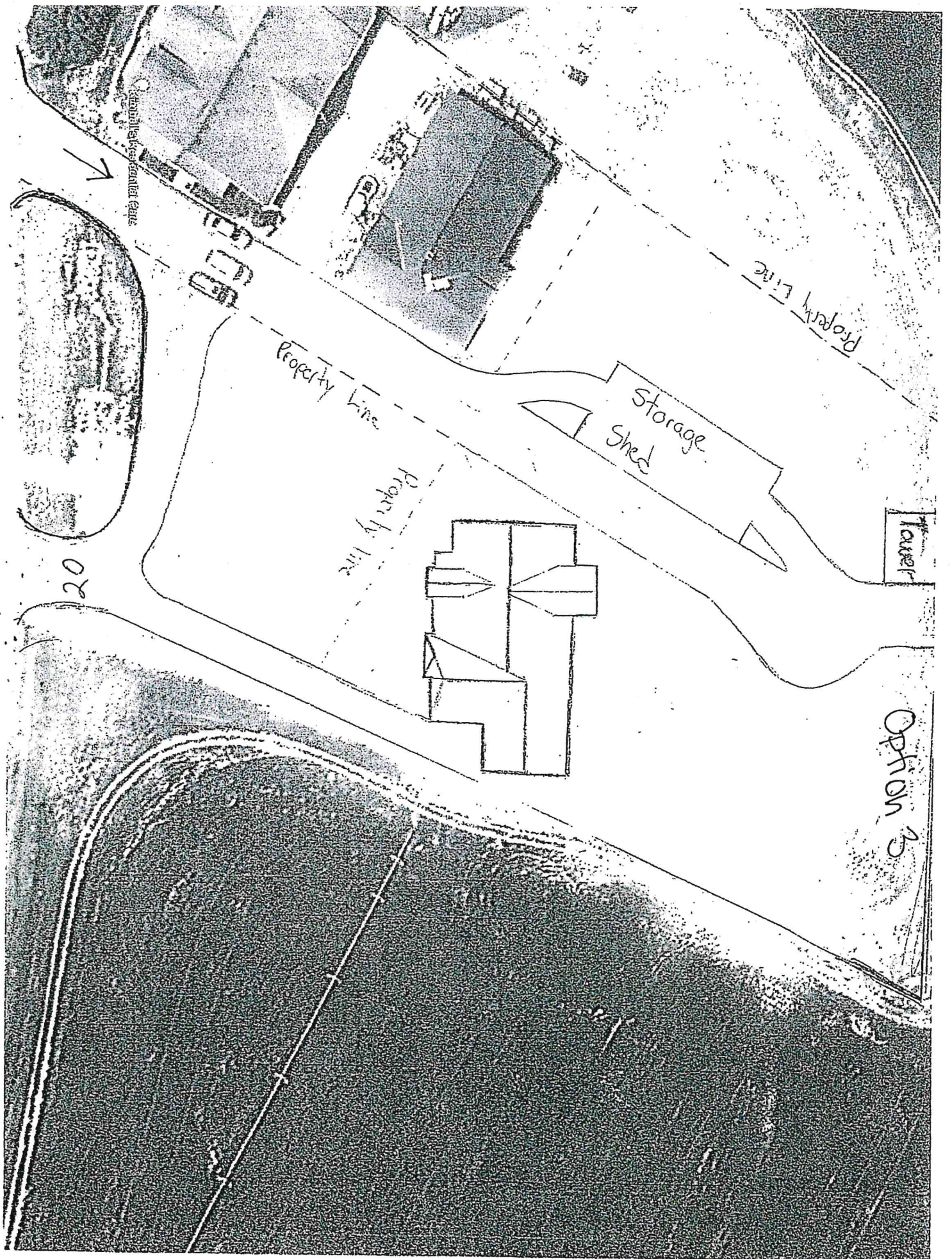
Storage Sites

Property Lines

House

OPTION 1





20

CANTONVILLE ROAD

Property Line

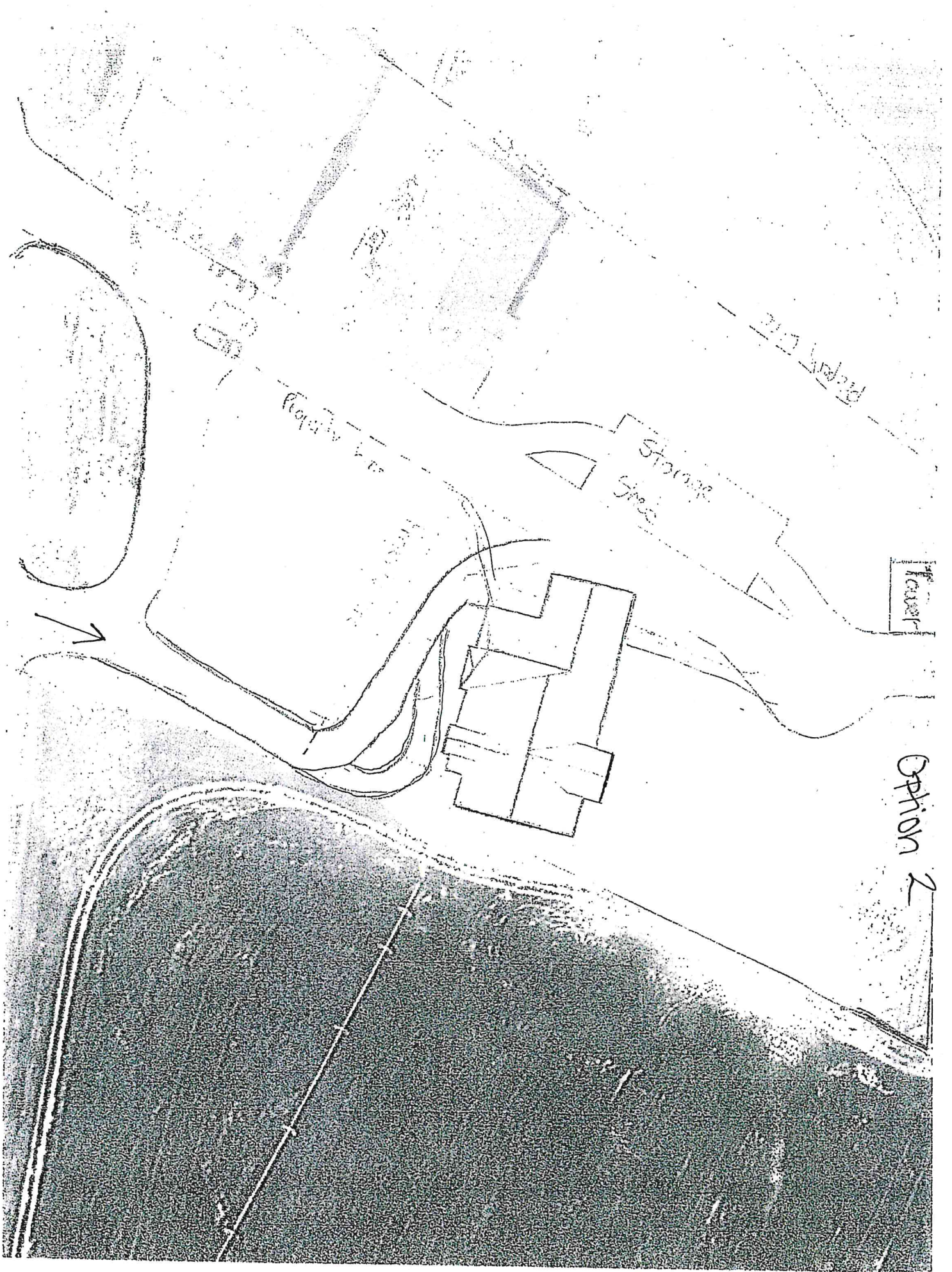
Property Line

Property Line

Storage Shed

Tower

Option 2

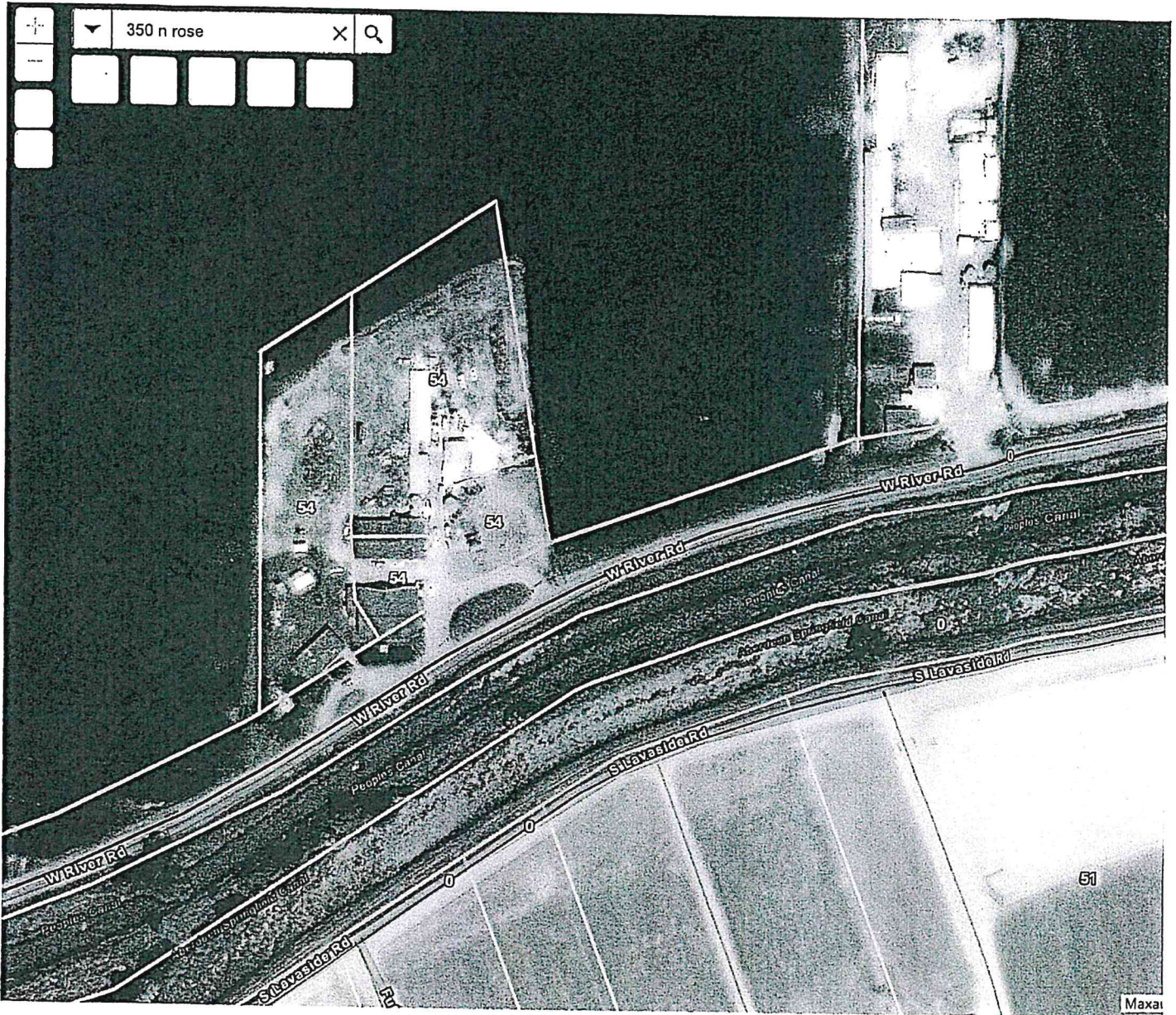


Parking Area

Storage Shed

Power

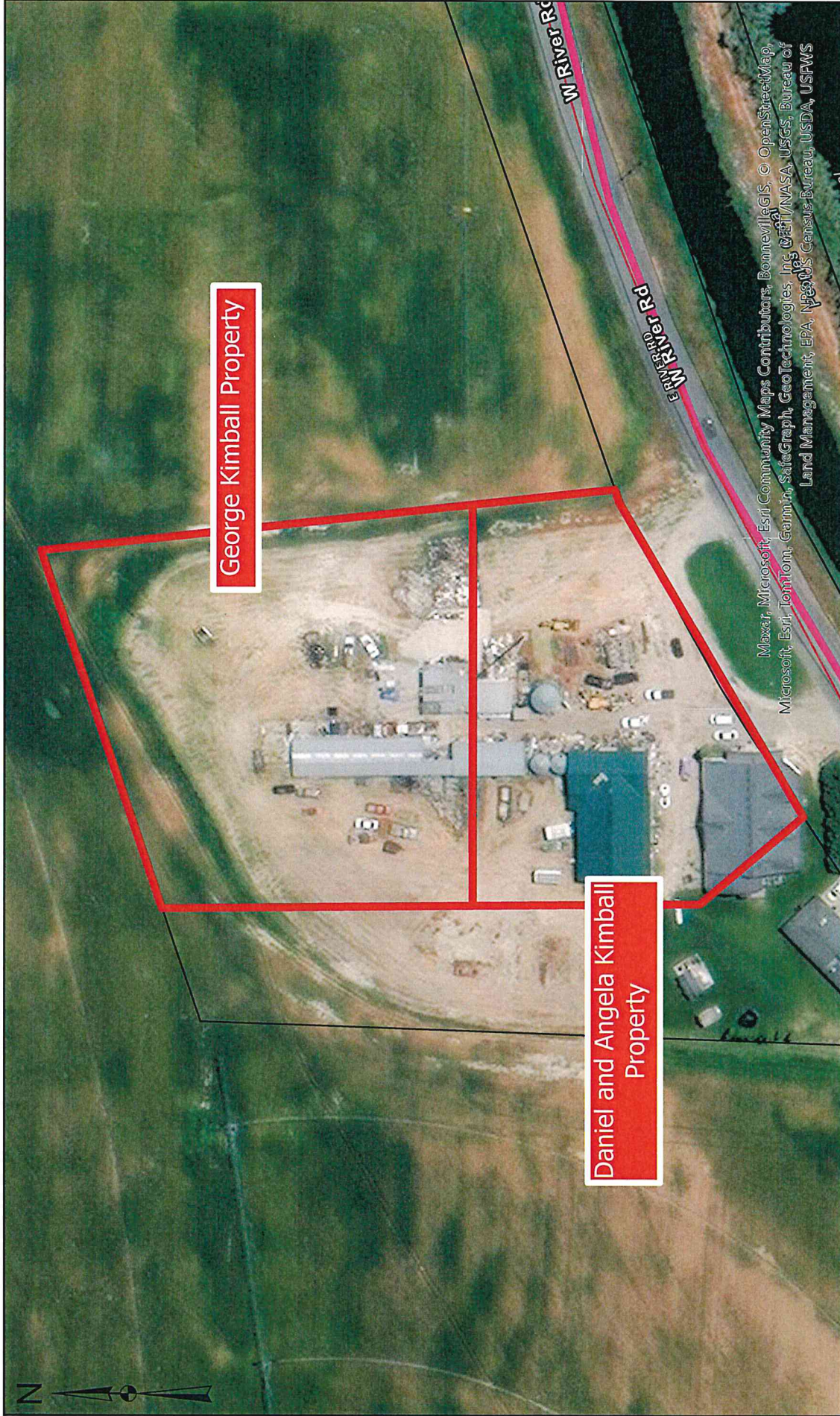
Option 2



200ft

-112.285 43 274 Degrees

KIMBALL VARIANCE - SETBACK FROM A STRUCTURE TO AN EASEMENT - AERIAL MAP



LEGEND




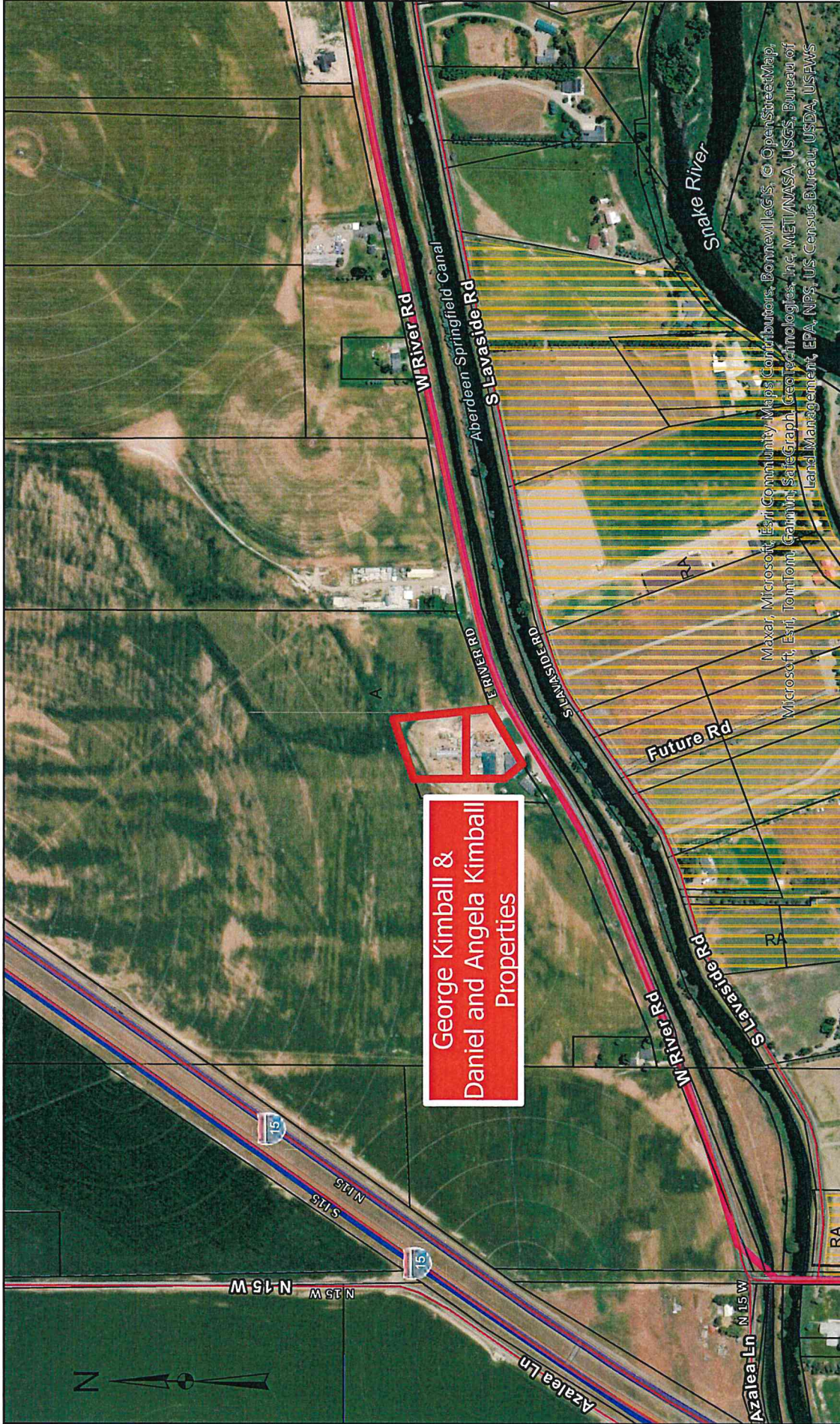
-  Kimball Variance
-  Parcels
-  Roads
- Major Collector 70' ROW

Exhibit S-2



KIMBALL VARIANCE - SETBACK FROM A STRUCTURE TO AN EASEMENT - ZONING MAP



**George Kimball &
Daniel and Angela Kimball
Properties**

Maxar, Microsoft, Esri, Community Maps Contributors, Bing, Mapbox, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, Satgraph, Geotechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USFWS

**Exhibit
S-3**

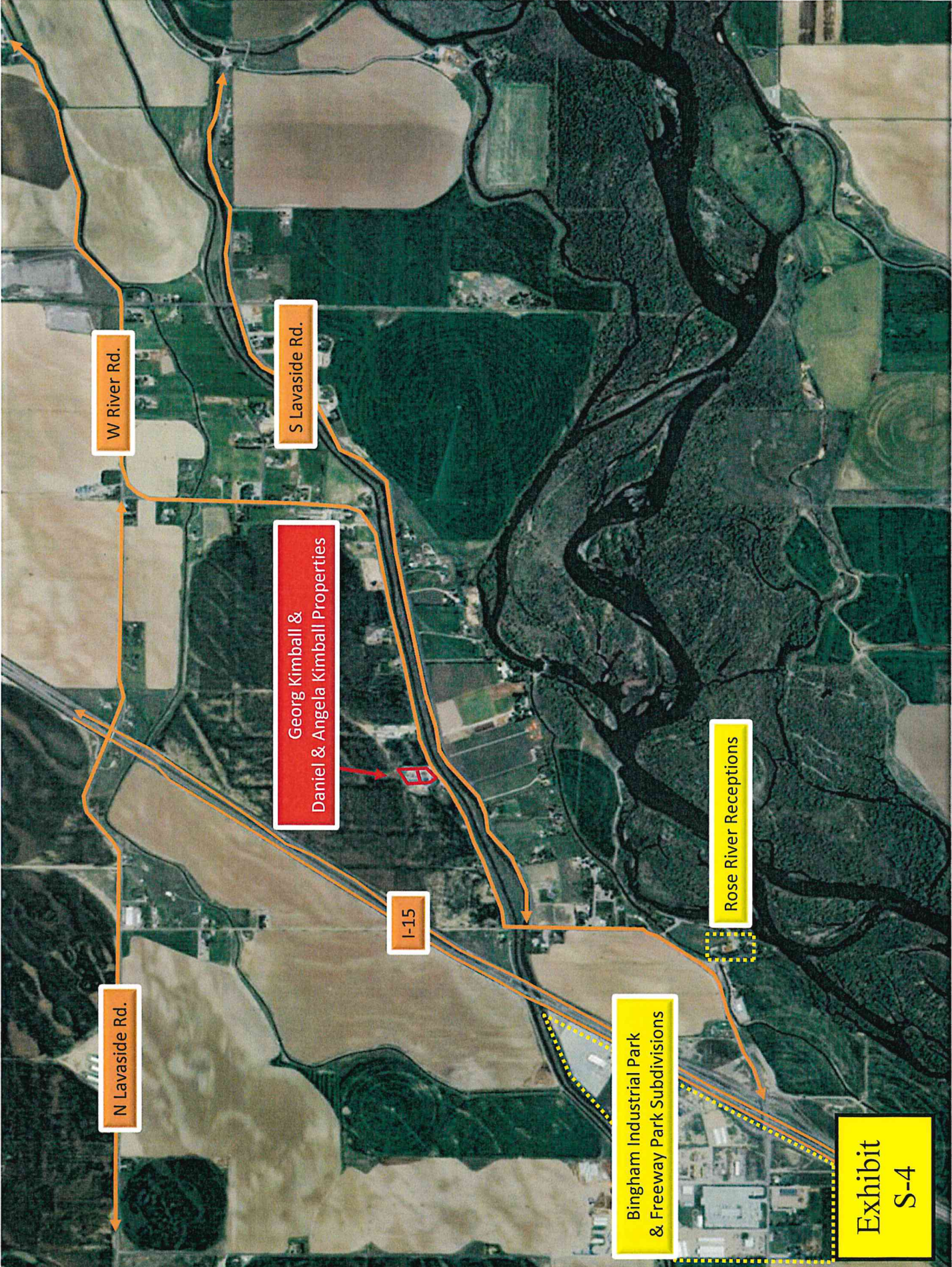


LEGEND

- Kimball Variance
- Parcels
- Roads

- RA - Residential/Agriculture
- A - Agriculture
- Major Collector 70' ROW
- Interstate 200-400'





W River Rd.

S Lavaside Rd.

Georg Kimball &
Daniel & Angela Kimball Properties

I-15

N Lavaside Rd.

Rose River Receptions

Bingham Industrial Park
& Freeway Park Subdivisions

Exhibit
S-4


BINGHAM COUNTY
PLANNING & DEVELOPMENT SERVICES

NOTICE OF POSTING

I hereby certify that on September 24, 2024, I personally posted the Bingham County, Planning & Development Department Notice for File No. 3233 at the two following locations:

Approx. Locations: 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, Township 2 South, Range 36 East, Section 06



Addie Jo Jackman
 Addie Jo Jackman
 Assistant Director/Lead Planner

**Exhibit
S-5**

Facing North from E River Road

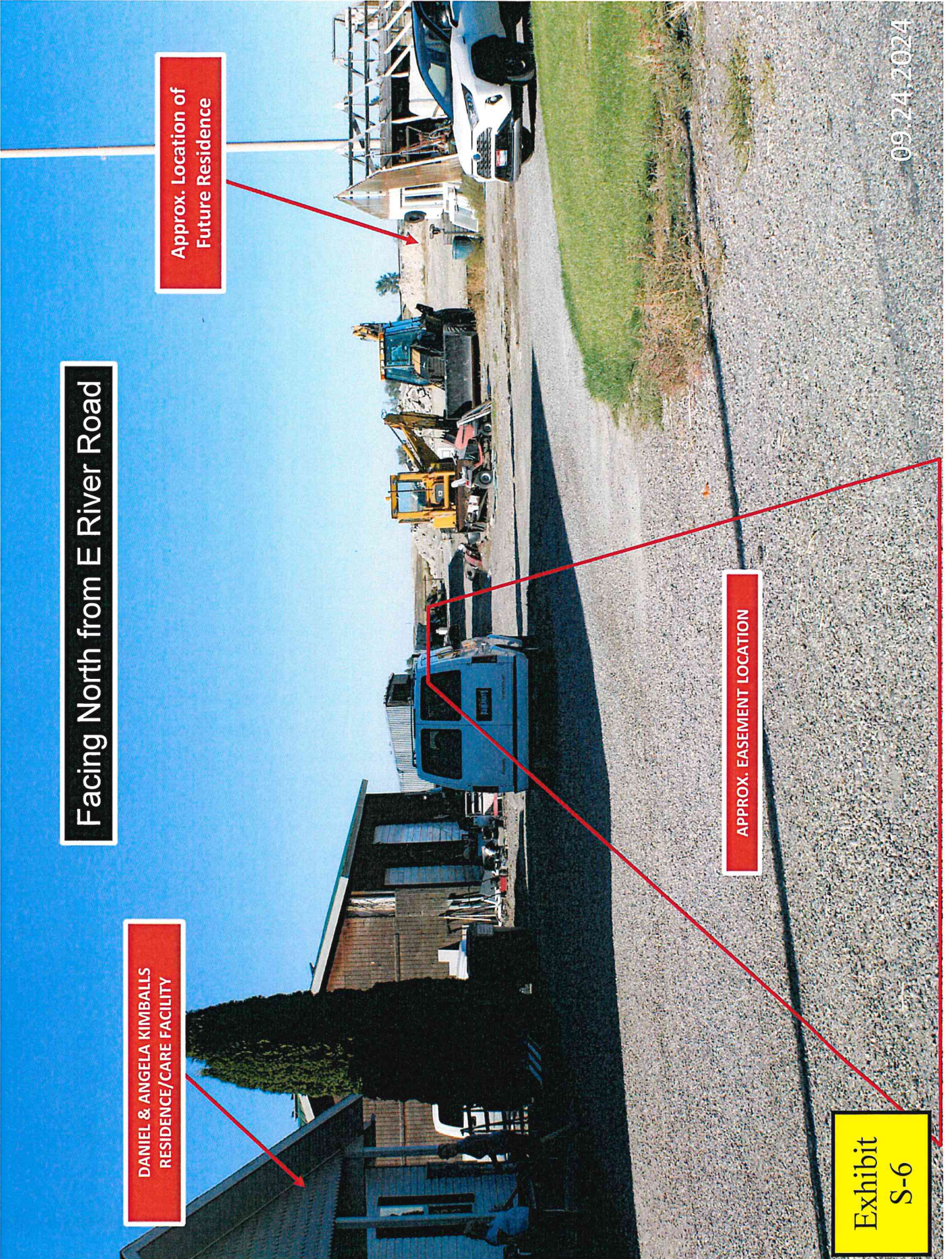
DANIEL & ANGELA KIMBALLS
RESIDENCE/CARE FACILITY

Approx. Location of
Future Residence

APPROX. EASEMENT LOCATION

Exhibit
S-6

09.24.2024



Facing North From E River Road

Approx. Location of Future Residence

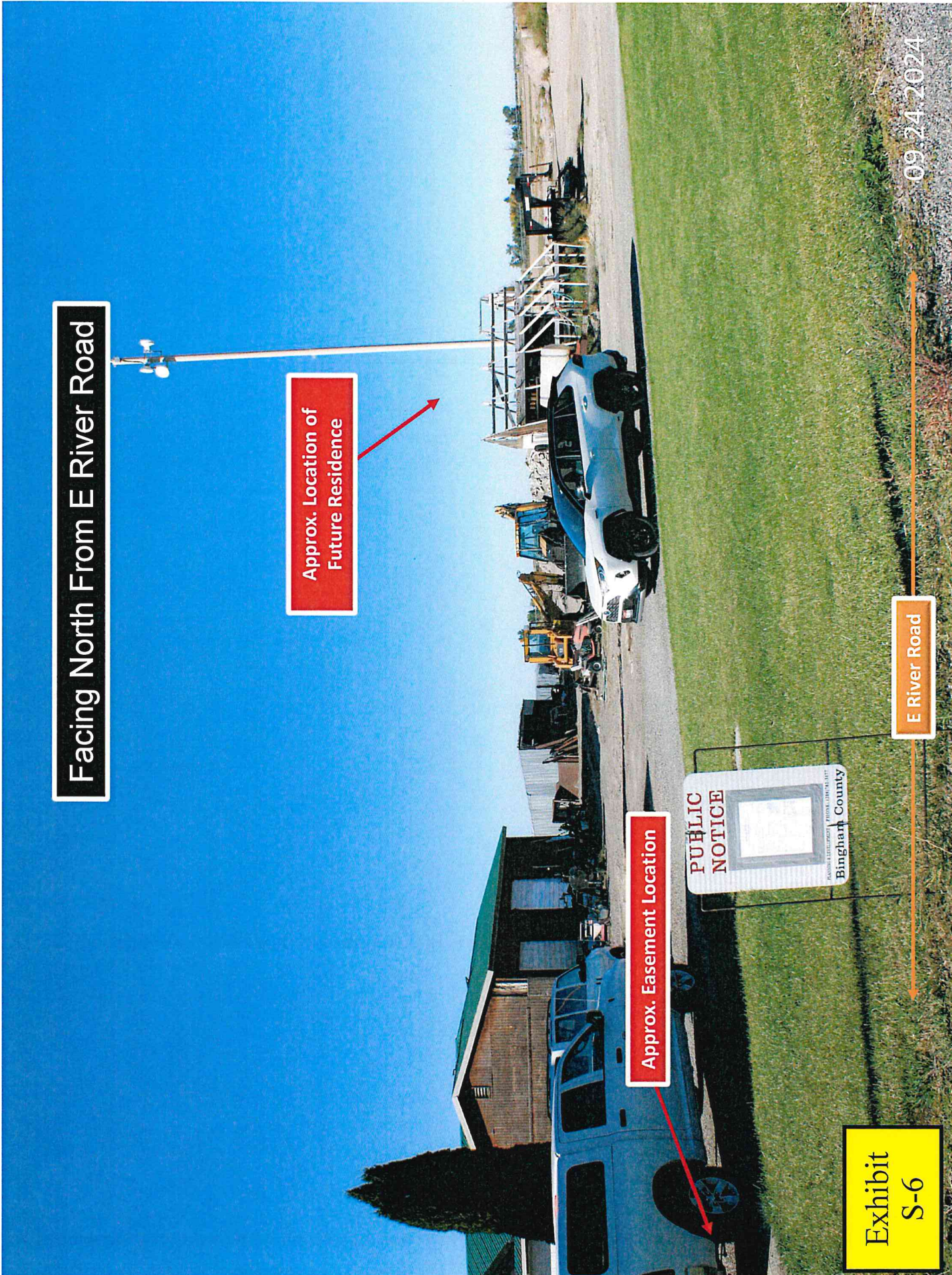
Approx. Easement Location

PUBLIC NOTICE
Bingham County

E River Road

Exhibit S-6

09/24/2024



Facing North on George Kimball's Parcel

Approx. Location of
Future Residence

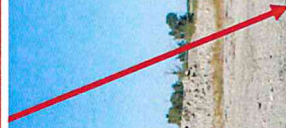


Exhibit
S-6

09.24.2024

Facing Northeast on George Kimball's Parcel

Approx. Location of
Future Residence

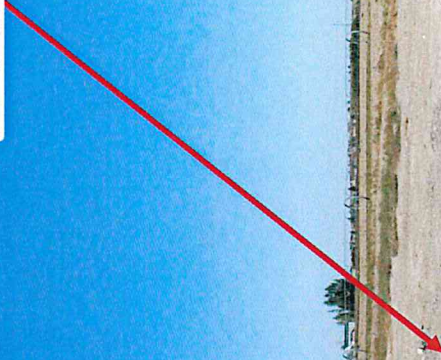
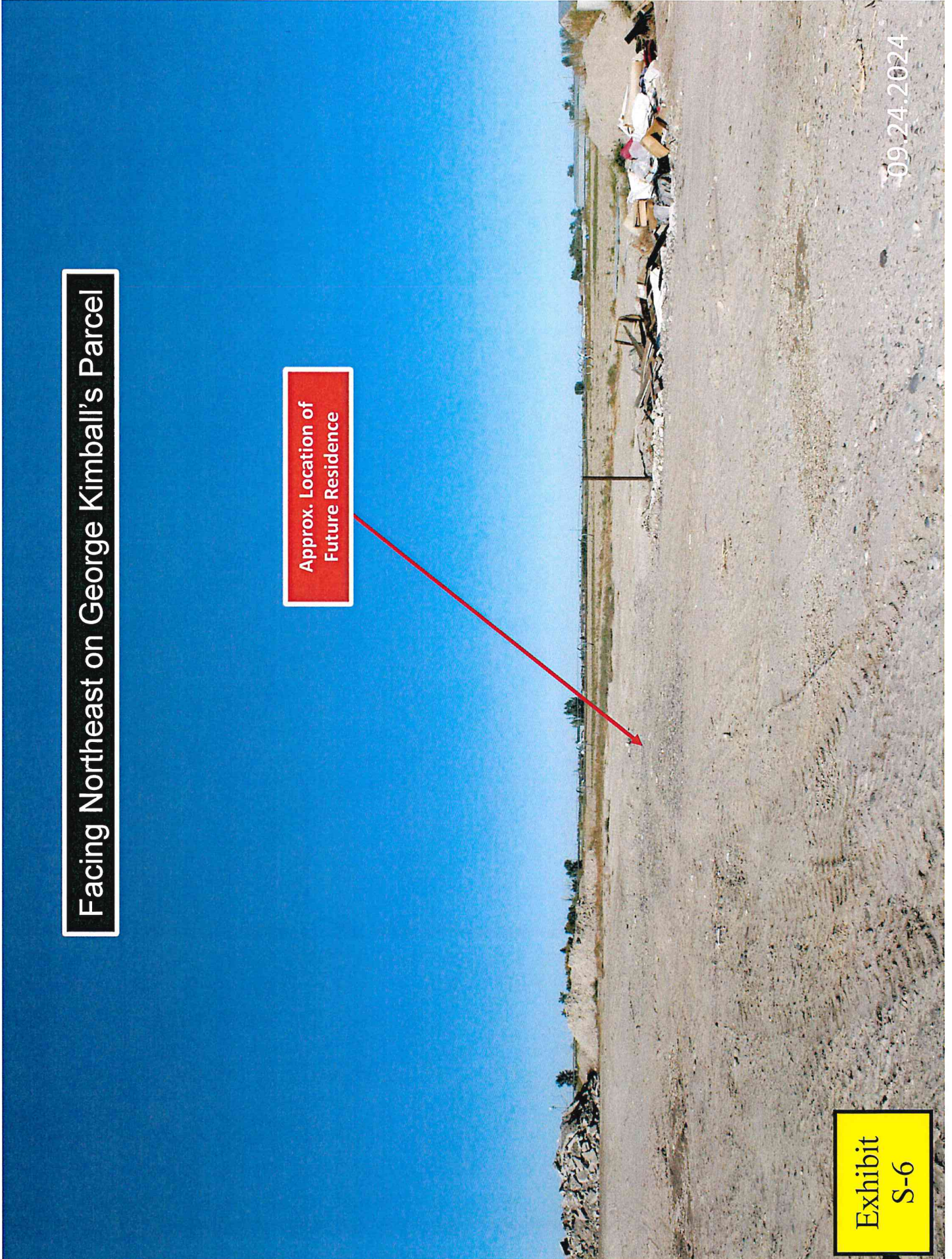


Exhibit
S-6

09.24.2024



Facing South from George Kimball's Parcel

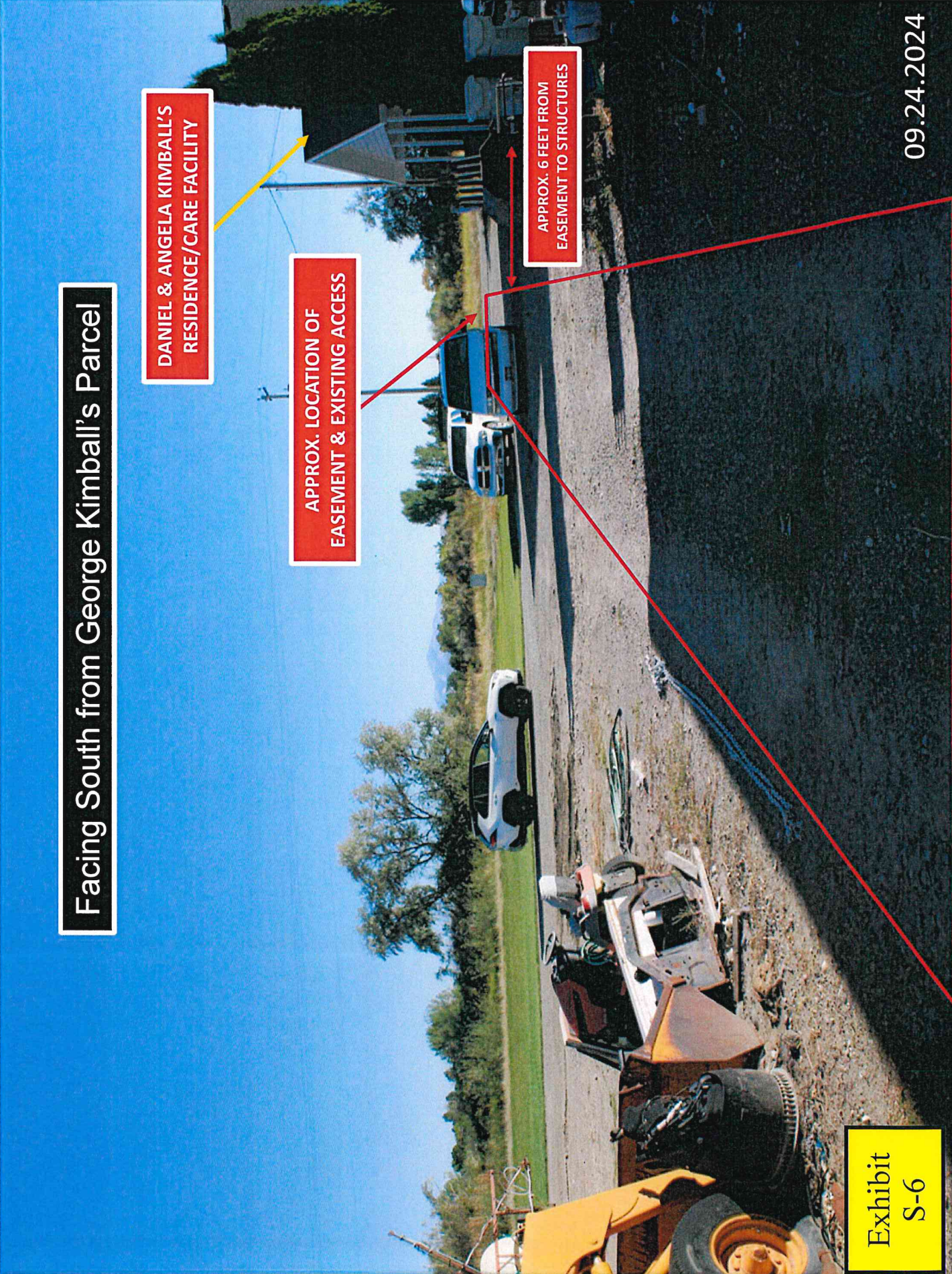
DANIEL & ANGELA KIMBALL'S
RESIDENCE/CARE FACILITY

APPROX. LOCATION OF
EASEMENT & EXISTING ACCESS

APPROX. 6 FEET FROM
EASEMENT TO STRUCTURES

Exhibit
S-6

09.24.2024



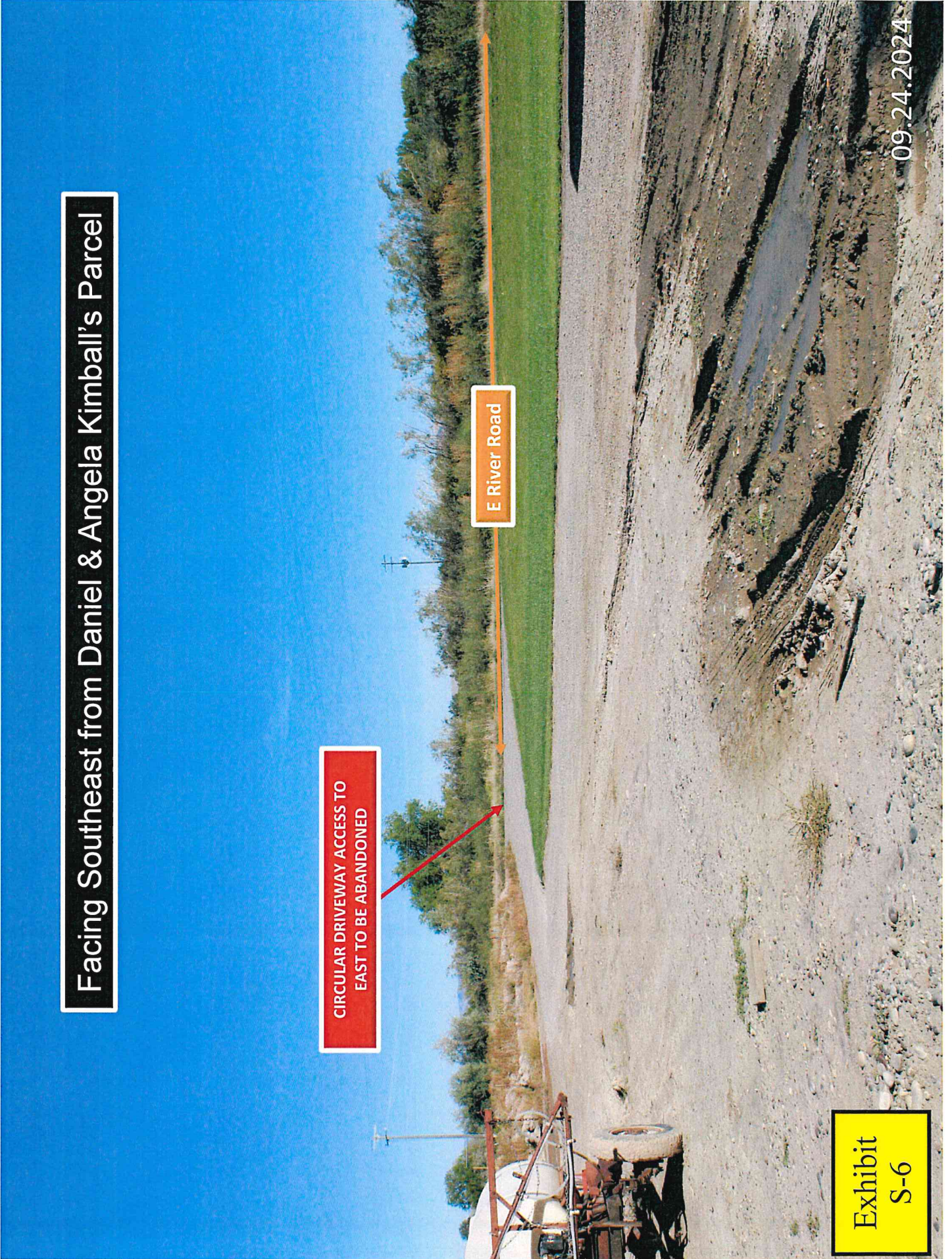
Facing Southeast from Daniel & Angela Kimball's Parcel

CIRCULAR DRIVEWAY ACCESS TO EAST TO BE ABANDONED

E River Road

Exhibit S-6

09.24.2024



Facing West from Daniel & Angela Kimball's Parcel

DANIEL & ANGELA KIMBALLS
RESIDENCE/CARE FACILITY

APPROX. EASEMENT LOCATION

Exhibit
S-6

09.24.2024



Facing East from E River Road

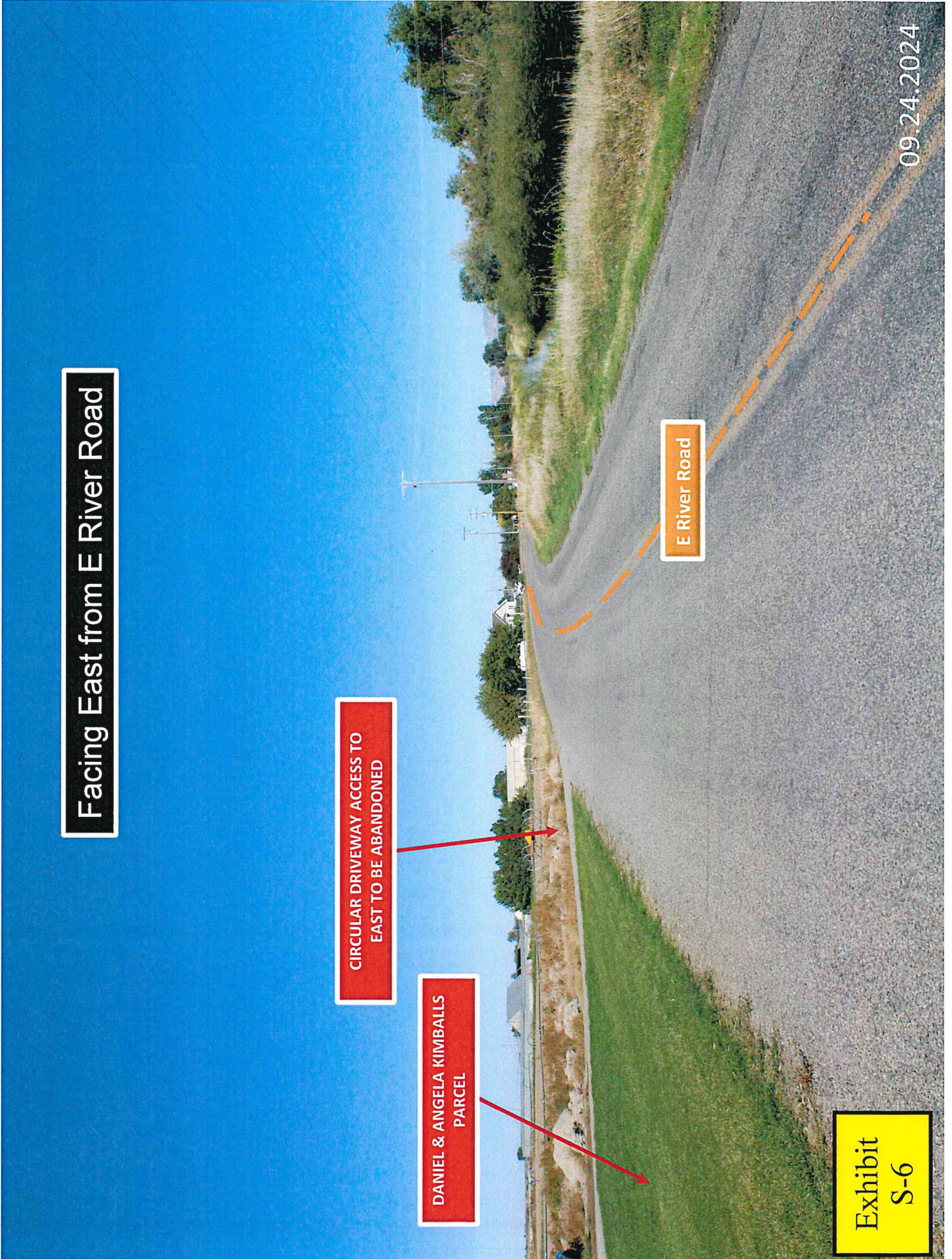
CIRCULAR DRIVEWAY ACCESS TO EAST TO BE ABANDONED

DANIEL & ANGELA KIMBALLS PARCEL

E River Road

Exhibit S-6

09.24.2024



Facing South from E River Road

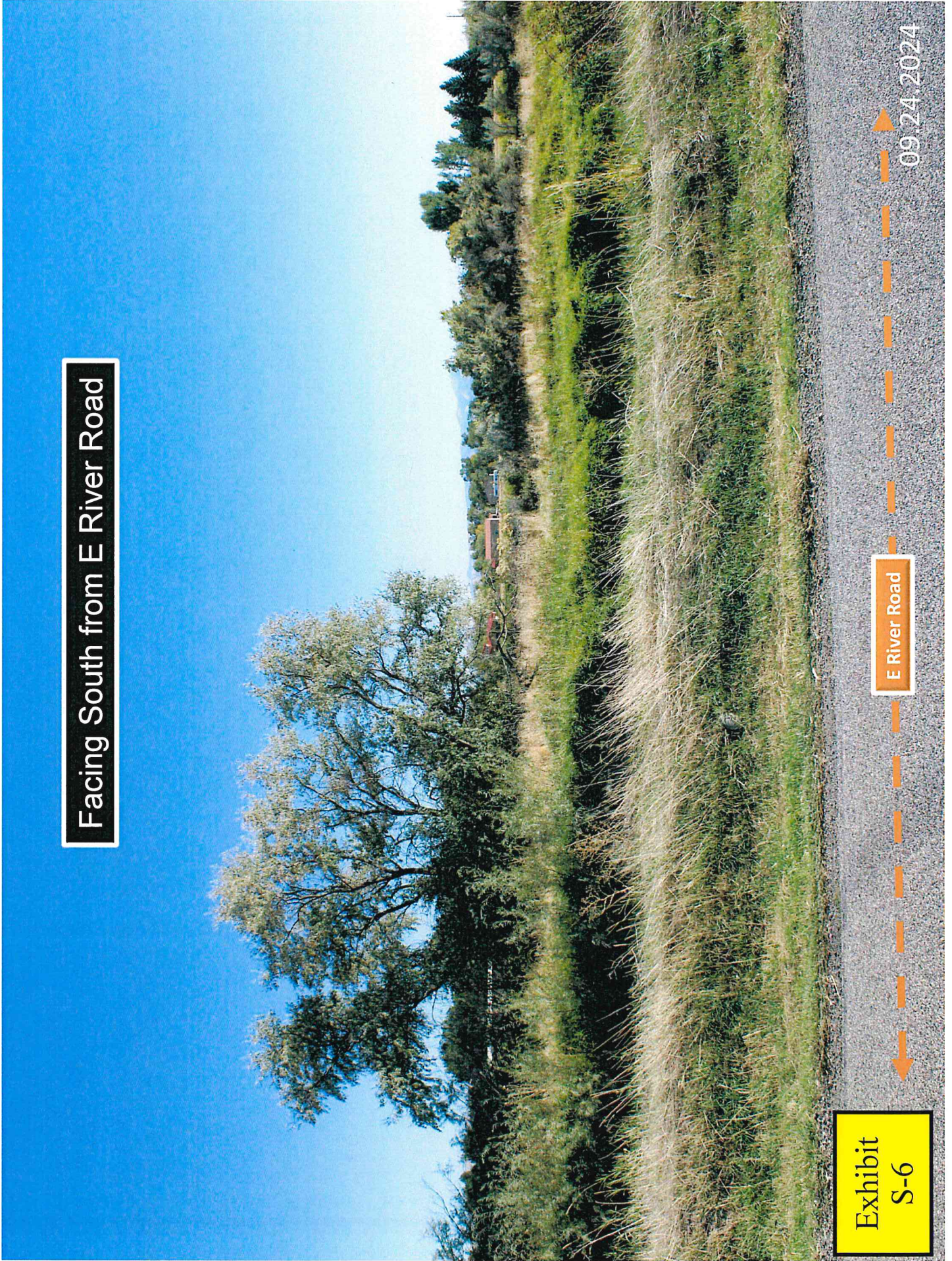


Exhibit
S-6

E River Road

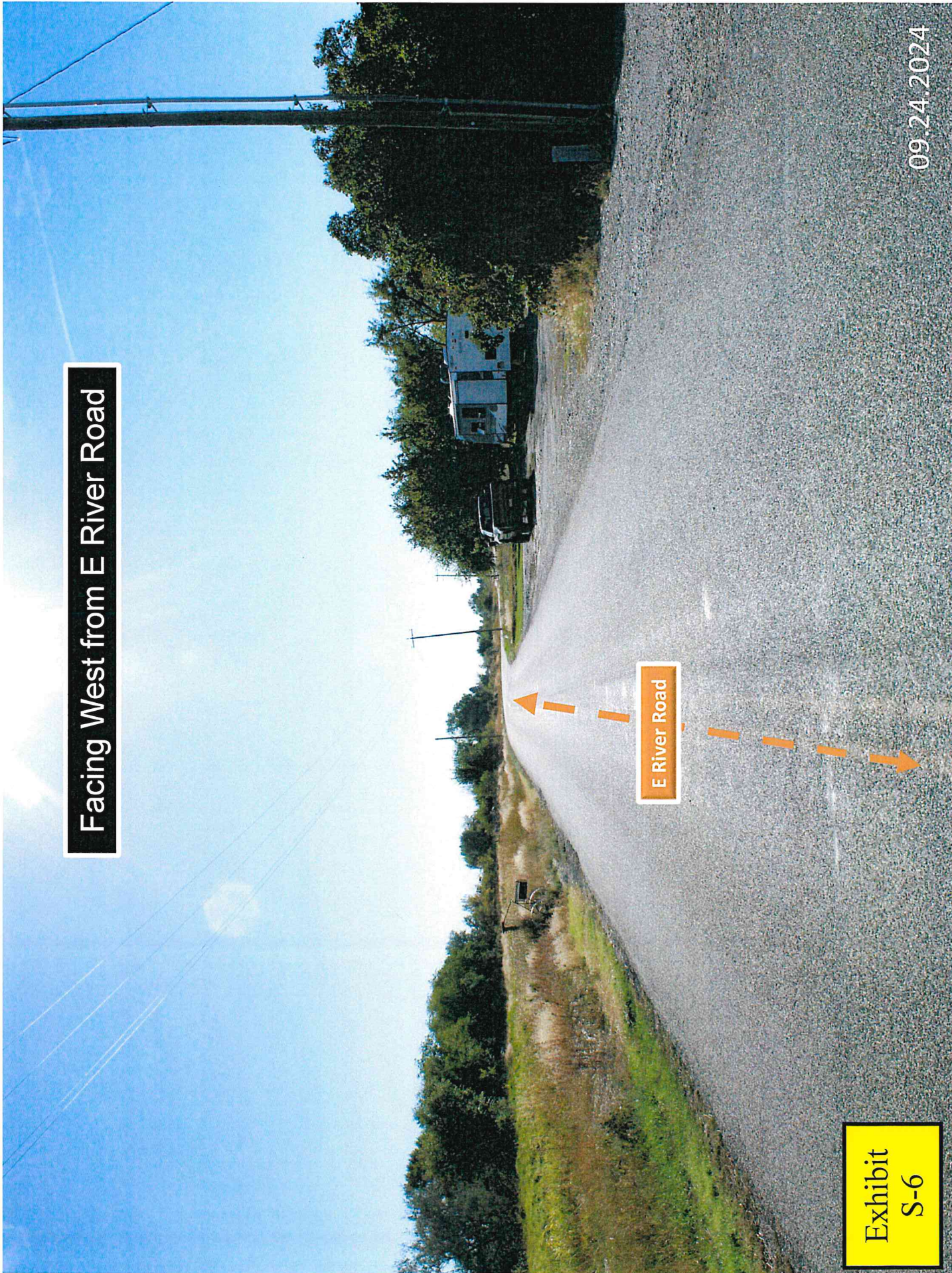
09.24.2024

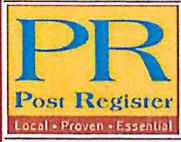
Facing West from E River Road

E River Road

Exhibit
S-6

09.24.2024





PROOF OF PUBLICATION Idaho State Journal and Post Register

State of Idaho
County of Bingham

I, Collins Crapo first being duly sworn, depose and say: That I am the Processing Clerk employed by Adams Publishing Group of the Rockies LLC, publishers of The Idaho State Journal and Post Register, a newspaper of general circulation, published 4 days, Tuesday, Wednesday, Friday and Saturday, at Pocatello and Idaho Falls, Idaho.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Idaho State Journal and Post Register and on IdahoPublicNotices.com for 1 day(s), first publication having been made on 09/14/2024 last publication having been made on 09/14/2024, and that the said notice was published in the regular and entire issue of said papers on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

(Collins Crapo)

Subscribed and sworn to before me, on this 16th day of September, 2024.

Beth Crossley

Notary Public
My commission expires:

_____ attached jurat _____

STATE OF IDAHO

ss.

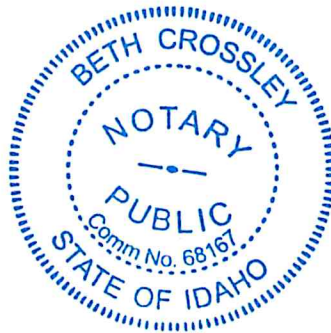
COUNTY OF BINGHAM

On this 16th day of September, 2024 before me, the undersigned, a Notary public for said state, personally appeared Collins Crapo, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she/they executed the same,

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Beth Crossley

Notary Public for APG of the Rockies
Residing: Idaho Falls, Idaho
Commission expires: 7/28/28



**BINGHAM COUNTY
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Bingham County Planning & Zoning Commission will hold Public Hearings on October 9, 2024 in Courtroom #1, Bingham County Courthouse, 501 N. Maple, Blackfoot, Idaho. The meeting will start at 6:00 pm or as soon as it may be heard. For more information on the Applications please refer to <https://www.binghamid.gov/departments/planninganddevelopment/PublicHearings>

A. The following Public Hearing Application will be heard:

1. **VARIANCE TO THE SETBACK REQUIREMENT FROM AN EASEMENT TO A STRUCTURE (ACTION ITEM: DECISION)** Property Owner: George Kimball Approx. Location: North of 56 E River Rd., Blackfoot, ID, Parcel No. RP0413207, approx. 1.43 acres & Property Owners: Daniel & Angela Kimball. Approx. Location: 56 E River Rd., Blackfoot, ID. Parcel No. RP0413205, approx. 1 acre, T2S, R36E, Sec 06

All persons interested or persons who are affected are invited to attend said Public Hearings to show cause, if any, if the requested Applications meet Bingham County Code and may give testimony in favor, neutral, or in opposition of said requests. According to Bingham County Code Section 10-3-6(7) no more than two pages of written testimony will be accepted less than eight calendar days before a hearing. Written testimony can be provided via mail at 490 N. Maple, Suite A, Blackfoot, ID 83221 or by email at planningtestimony@binghamid.gov Individuals who need accessible communications or other accommodations in order to participate are invited to make their needs known to the Bingham County Clerk, 3 to 5 days in advance. ADA/504 Compliance.

Dated this 12th day of September, 2024.

/s/Tiffany G. Olsen

Tiffany G. Olsen

Planning & Development Director

Bingham County, Idaho

Published: September 14th, 2024 (PR/ISJ26092-558283)

BLACKFOOT/SNAKE RIVER AND FIRTH GOVERNMENT AGENCY NOTICE

Company Name	Attention	Address	City	St	Zip
Bingham County Appraisal		Service by Email			
Bingham County Assessor		Service by Email			
Bingham County Building Official		Service by Email			
Bingham County Parks & Recreation		Service by Email			
Bingham County Public Works		Service by Email			
Bingham County Sheriff		Service by Email			
Bingham County Surveyor		Service by Email			
Bingham County Treasurer		Service by Email			
Aberdeen/Springfield Canal Co.		P.O. Box 857	Aberdeen	ID	83210
Blackfoot Fire District	Verl Jarvie	225 N. Ash	Blackfoot	ID	83221
Blackfoot Irrigation Co		108 E 200 N	Blackfoot	ID	83222
Blackfoot Post Office	Postmaster	165 W Pacific	Blackfoot	ID	83221
Blackfoot School District	Superintendent	270 E. Bridge	Blackfoot	ID	83221
Bureau of Land Management	Land & Realty	4350 S. Cliffs Dr.	Pocatello	ID	83204
Bureau of Land Management	Land & Realty	1405 Hollipark Dr.	Idaho Falls	ID	83401
Bureau of Reclamation	Laura Crandall	470 22nd Street	Heyburn	ID	83336
City of Blackfoot	Mayor/City Council	157 N. Broadway	Blackfoot	ID	83221
City of Firth	Mayor/City Council	P.O. Box 37	Firth	ID	83236
Corbett Slough Ditch Company		78 N 100 W	Blackfoot	ID	83222
Department of Environmental Quality	Allan Johnson	444 Hospital Way #300	Pocatello	ID	83201
Department of Water Resources		900 N. Skyline Dr. #A	Idaho Falls	ID	83402
Eastern Idaho Water Company		279 N 400 E	Blackfoot	ID	83221
Firth Post Office	Postmaster	323 N Main	Firth	ID	83274
Firth School District	Superintendent	319 Lincoln	Firth	ID	83236
Firth/Shelley Fire District	Randy Adams	924 E 1400 N	Shelley	ID	83236
Fort Hall Business Council		PO Box 306	Fort Hall	ID	83203
Groveland Water & Sewer	Marc Pange	144 N 400 W	Blackfoot	ID	83221
Idaho Department of Lands	Pat Brown	3563 Ririe Highway	Idaho Falls	ID	83401
Idaho Department of Transportation		5151 S. 5th Ave	Pocatello	ID	83204
Idaho Fish & Game	Becky Johnson	1345 Barton Road	Pocatello	ID	83204
Idaho Irrigation District		496 E. 14th Street	Idaho Falls	ID	83404
Idaho Power	Design Leader	301 E Benton Street	Pocatello	ID	83201
Idaho Public Health Department	Ken Keller	1901 Alvin Ricken Dr.	Pocatello	ID	83201
Intermountain Gas Co	Pocatello Marketing	12584 N Tyhee Rd.	Pocatello	ID	83202
Moreland Water & Sewer District		PO Box G	Moreland	ID	83256
New Lavaside Canal	Von Cornelison	66 E. River Road	Blackfoot	ID	83221
Parson's Ditch Co		638 W 100 S	Blackfoot	ID	83222

**Exhibit
S-8**

BLACKFOOT/SNAKE RIVER AND FIRTH GOVERNMENT AGENCY NOTICE

People's Canal & Irrigation Co		1050 W. Highway 39	Blackfoot	ID	83221
Qwest Engineering	Jon Davidson	930 W. Cedar Street	Pocatello	ID	83201
Riverside Canal Co		379 W 150 N	Blackfoot	ID	83221
Shoshone Bannock Tribal Land Use Policy Commission		PO Box 306	Fort Hall	ID	83203
Smith-Maxwell Ditch Co		839 W Riverton Rd.	Blackfoot	ID	83220
Snake River School District	Superintendent	103 S. 900 W.	Blackfoot	ID	83221
Snake River Valley Irrigation		P.O. BOX 70	Basalt	ID	83218
United Canal Company		762 W Hwy 39	Blackfoot	ID	83221
United Canal Company	Spencer Larsen	864 W 650 N	Blackfoot	ID	83221
U.S. Army Corps of Engineers Walla Walla District Idaho Falls Regulatory Office		900 N Skyline Road, Suite A	Idaho Falls	ID	83402
Watson Canal Co	Karl Williams	237 S 900 W	Blackfoot	ID	83221
Wearyrick Ditch Co		66 S 700 W	Blackfoot	ID	83221

49 Government Agencies

NOTICE OF MAILING

I hereby certify on September 17, 2024, I, Addie Jo Jackman, personally mailed notice of the proposed request to the above named Government Agencies.

Addie Jo Jackman

Addie Jo Jackman
Assistant Director/Lead Planner

**PROPERTY OWNERS LIST
GEORGE KIMBALL VARIANCE TO SETBACK**

OWNER	ADDRESS	CITY STATE ZIP
VON & LINDA CORNELISON	66 E RIVER RD	BLACKFOOT ID 83221-8566
GAYLE & ELIZABETH DAMSTROM	PO BOX 1308	BLACKFOOT ID 83221-0000
BILL & CHRISTINE DAVIS	PO BOX 791	BLACKFOOT ID 83221-0327
DANIEL & ANGELA KIMBALL	54 E RIVER RD	BLACKFOOT ID 83221-4559
GEORGE KIMBALL	54 E RIVER RD	BLACKFOOT ID 83221-4559

5 PROPERTY OWNERS

NOTICE OF MAILING

I hereby certify on September 17, 2024 I, Addie Jo Jackman, personally mailed notice of the proposed request to the above named property owners who are within 300 feet of the property in

Addie Jo Jackman

Addie Jo Jackman
Lead Planner/Assistant Director

**Exhibit
S-9**



BINGHAM COUNTY

PLANNING & DEVELOPMENT SERVICES

NOTICE TO PROPERTY OWNERS WITHIN 300 FEET NOTICE TO GOVERNMENT AGENCIES PER BINGHAM COUNTY CODE SECTION 10-3-6

BINGHAM COUNTY NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Bingham County Planning & Zoning Commission will hold a Public Hearing **October 9, 2024** in Courtroom #1, Bingham County Courthouse, 501 N. Maple, Blackfoot, Idaho. The meeting will start at 6:00 pm or as soon as it may be heard. Please refer to our website <https://www.binghamid.gov/planning-zoning-commission> to see the order of the meeting and for more information on the Application.

The following Application will be heard:

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.

All persons interested or persons who are affected are invited to attend said Public Hearing to show cause, if any, if the requested Application meets Bingham County Code and may give testimony in favor, neutral or in opposition of said request. According to Bingham County Code Section 10-3-6(7), no more than two pages of written testimony will be accepted less than eight calendar days before a hearing. You may send testimony by mail to 490 N. Maple, Suite A, Blackfoot, ID 83221 or email to planningtestimony@binghamid.gov Individuals who need accessible communications or other accommodations in order to participate are invited to make their needs known to the Bingham County Clerk, 3 to 5 days in advance. ADA/504 Compliance.

Dated this 17th day of September, 2024.

Tiffany G. Olsen
Planning & Development Director

From: [Gwen Inskeep](#)
To: [PlanningTestimony](#)
Subject: October Hearing Items_Surveyor Comments
Date: Thursday, September 26, 2024 10:52:25 AM

I have no comments or concerns on either item.

Gwen Inskeep, PLS
Bingham County Surveyor
501 N. Maple St.
Blackfoot ID 83221
208-782-3172

My email address has recently changed to [-ginskeep@binghamid.gov](mailto:ginskeep@binghamid.gov)

October 9, 2024 Hearing

Zoning Ordinance Amendments

Bingham County Public Works has reviewed the request and there are no objections or concerns at this time.

Kimball Variance

East River Rd is a major collector and the speed limit is not posted. Therefore, the required spacing between approaches is 190 feet and the current measurement between the two approaches is only 112 feet.

Only the west approach can be used and the east approach must be blocked off.