

Bingham County

Planning & Zoning Department

490 N. Maple St. Suite "A", Blackfoot, ID 83221

Phone: 208-782-3177

Email: buildingpermits@co.bingham.id.us

No. 3244

Application Date January 15, 2025

APPLICATION FOR ZONE CHANGE

Name JOSHUA AND LORI BLAU Phone 801-510-1063

Address 937 N 900 E City/Zip SHELLEY/83274

Location: _____ Email LORI.BLAU2010@YAHOO.COM
(Physical location if mailing address different.)

Applicant: Must be Property Owner (s)

Location and Legal Description

Township Range EBM, Section **NOTE:** Attach "Recorded" Deed

Property Size Acre (s) Parcel No. RP0074900

Description of EXISTING Use

Current Zone

Land is vacant and unused

Reason for Proposed Zone Change

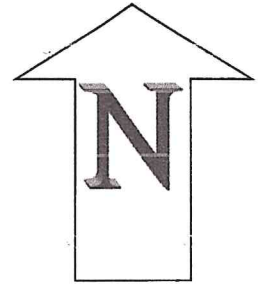
Proposed Zone

We would like to change the zoning to A so we can build a home and hobby farm.
We would like to change the zoning instead of obtaining a CUP so that we don't have to plan all details now, but take the time over several years to make the property our 'forever home' without the time restraints of a CUP.
If approved, we plan on an approximately 2000 sq ft home, 2 car garage, pasture for beef cows, goats and chickens, and a personal size storage shed. After we move onto the property we'll continue to improve the property to our personal needs with minimal impact to neighboring properties.

**Exhibit
A-1**

Site Plan -- Show drawing of location (including roads, all buildings, parking areas, service areas, yards, signs, utilities, traffic pattern, etc.). Attach map of the surrounding area showing the current zone and mark the area of the proposed zone change.

see next page



Statement evaluating effects of proposed Zone Change on adjoining property, general compatibility with other properties and uses, and compliance with the Comprehensive Plan:

Impact to surrounding properties will be minimal because changing the zoning to A will be the same as the surrounding properties on the same side of Taber Rd.

Everything we will do on the property will be in line with A zoning ordinances and local law.

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. (Sign only if designating an agent on your behalf)

Designated Agent : _____

Property Owner(s) _____

Signature

Date

Signature

Date

Fees Paid

Application Fee	425
Mailings & Publication	125
Total =	550

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 Board.

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

Jan 13, 2025

Date

Signature

Jan-13, 2025

Date

Joshua and Lori Blau
937 N 900 E
Shelley, ID 83274

January 13, 2025

Planning and Development Dept
Bingham County
490 N Maple St., Suite A
Blackfoot, ID 83221

Re: Application for zone change on Parcel RP0074900

We are submitting this application for a zone change on our 5-acre property in Blackfoot, parcel RP0074900 from M2 to A, asking your consideration. We purchased this property in the hopes of building a home and personal use hobby farm for us to continue to raise our family in a rural area. We have lived in several cities and rural towns, and much prefer the life in rural America! We see this property as a great opportunity for our family's future- changing it from M2 to A will open that dreams' door.

We know we also have the option of a conditional use permit. Obtaining a CUP makes less sense to us than rezoning because with a CUP we have a strict timeline and all of the details of our long term plan would have to be included upfront. We would much rather have the freedom to change our plans based on our circumstances and needs rather than be locked into a CUP. If we get a CUP and want to change our plan, we would have to get a new CUP or amend the existing one, which will just incur more costs for us and spend more of the Planning and Zoning Departments' time, we feel is just unnecessary.

At this stage we do not have an exact site plan for the property. Honestly, we don't want to go through all of that necessary planning, because it is so extensive, if the change will not be approved. In lieu of an extremely detailed site plan, to give you a better idea of why we want to change the zoning and what our intentions are, here is a preliminary plan:

- One single family home, approximately 2000 sq ft
- 2 car garage attached to the home
- Fenced in yard for family play
- Detached garage or large shed
- Collect rain water for fire prevention purposes until we are able to obtain water rights

Exhibit
A-2

Approximately 2-3 of the acres will be used for the farm – cows, goats, chickens, etc. We will not bring animals to the property until we have structures in place for their protection and support

We will fence in the property border so that 1-we don't stray onto neighboring farms, 2- anyone driving through or working in the area on their farms will also not stray onto our property, 3- to keep our animals in and to keep free-range livestock and wildlife out.

Garden and orchard

If the zone change is approved, we will work with Clayton Homes to build a home that will meet our needs and enhance the aesthetics of the property in line with the aesthetics of the area. We have already met with Clayton Homes and will have them arrange and execute the project including the approach and driveway, septic system, well, home foundation and home. All of this initial work will be done by professionals in accordance with local law, zoning code, permit regulations, etc.

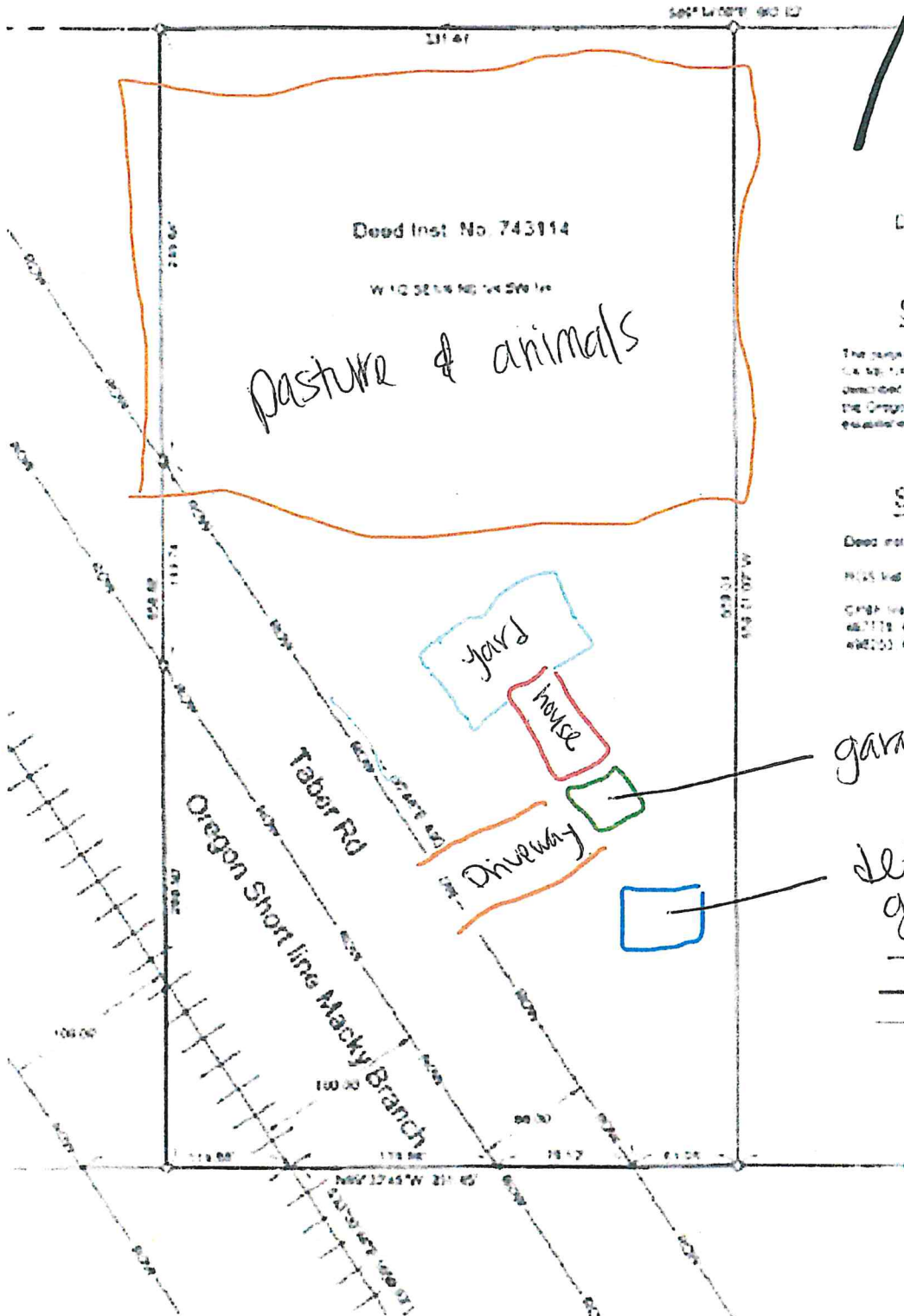
We look forward to working with you all in the future as we work through this zone change and as we *hopefully* settle in to becoming residents of Blackfoot. Thank you for your kind consideration,



Joshua and Lori Blau

PRELIMINARY SITE PLAN

BLAU - RP0074900



Deed Inst. No. 743114

W 1/2 SE 1/4 NE 1/4 S10 T12 R10 E

Pasture & animals

yard

house

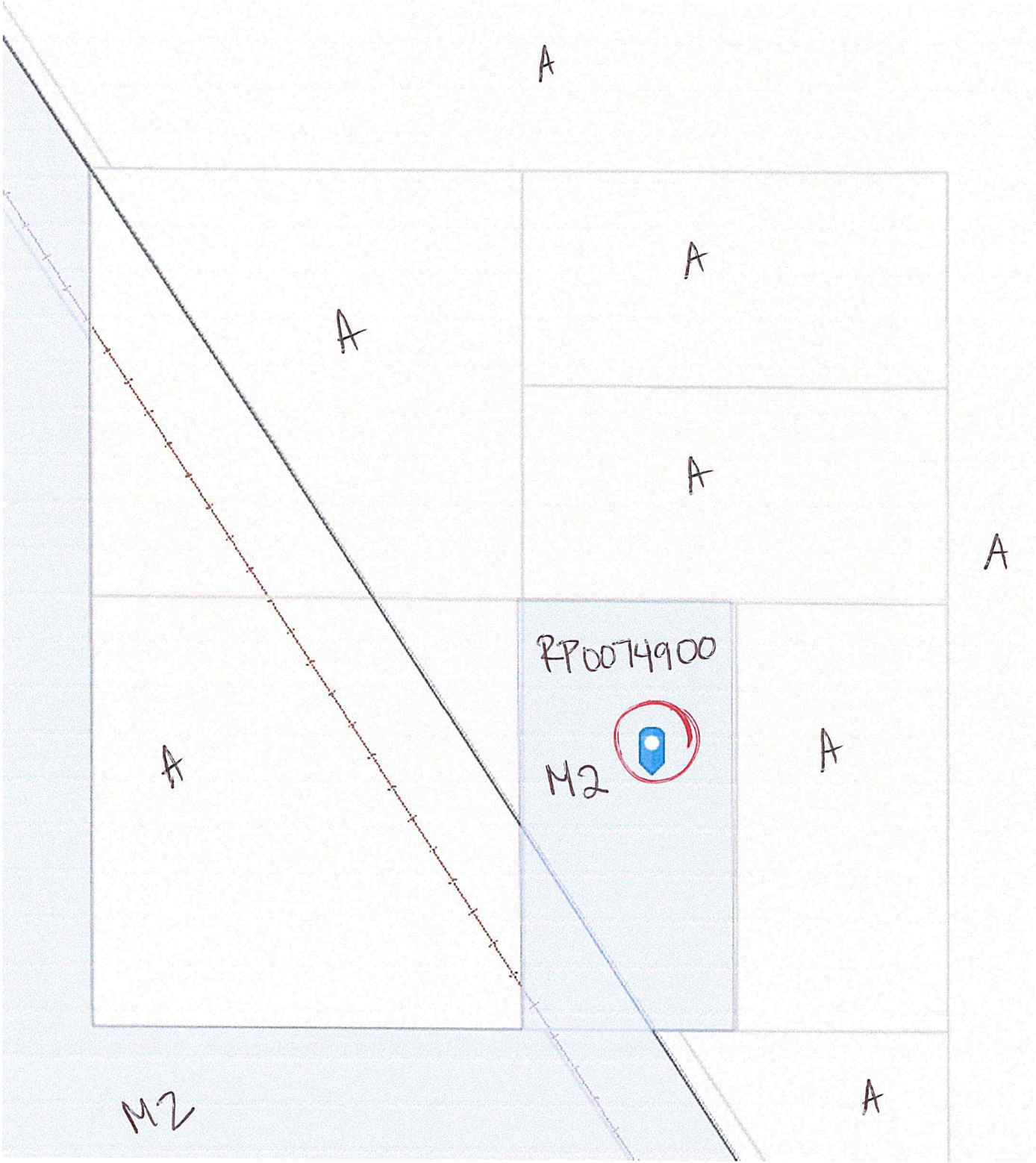
Driveway

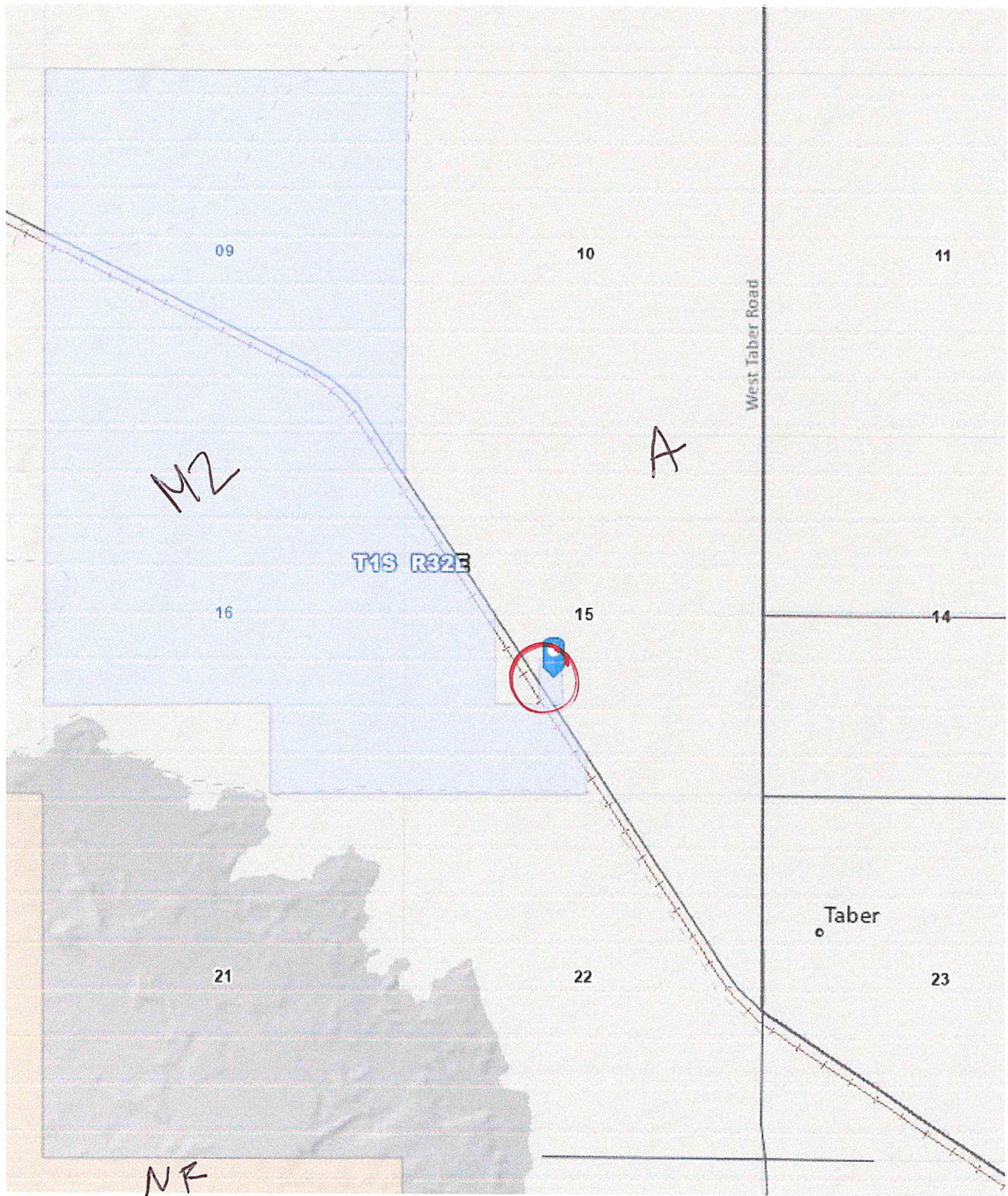
garage

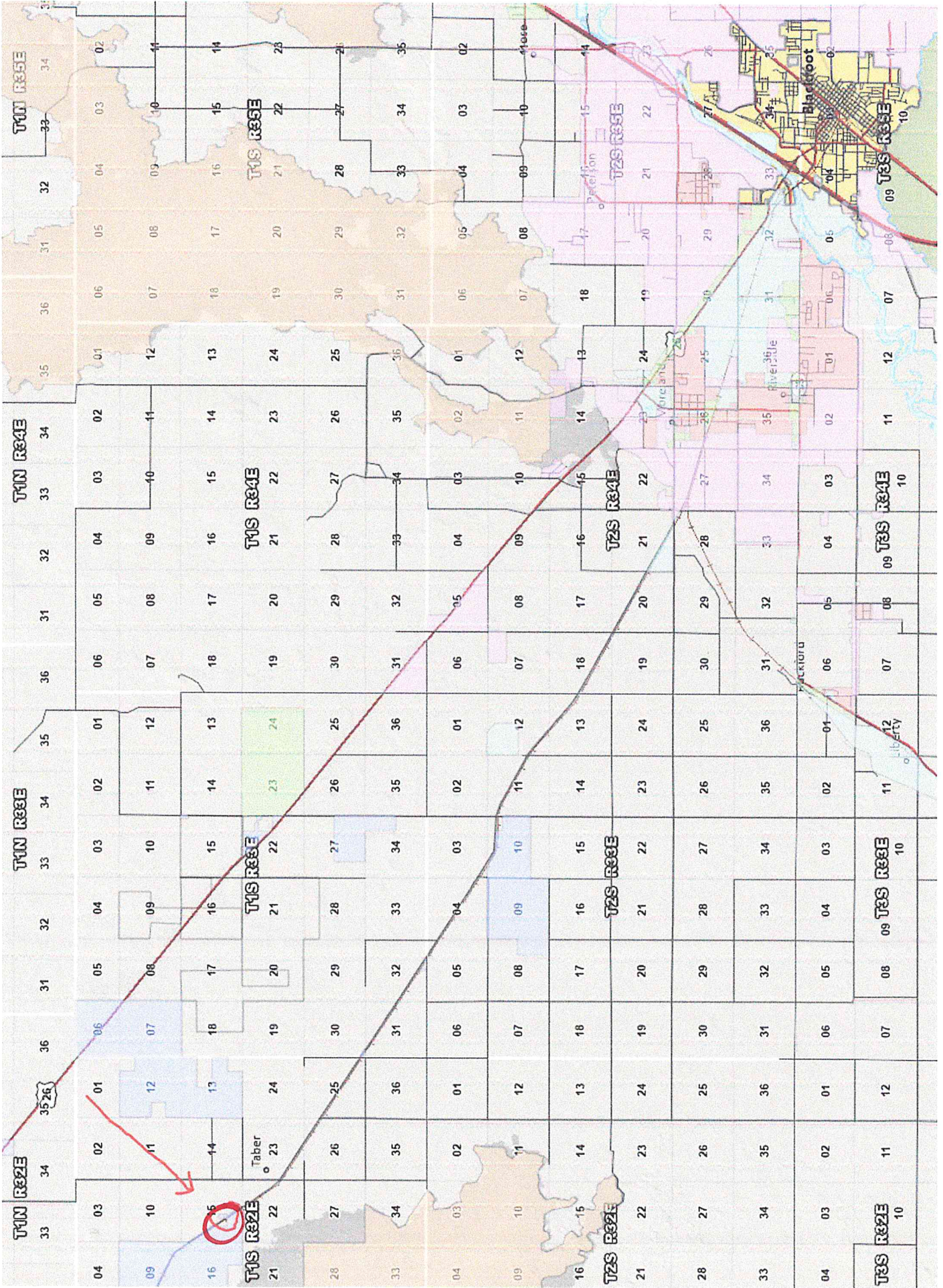
detached garage

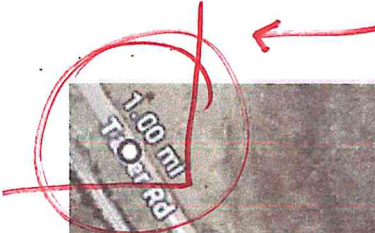
Tabar Rd

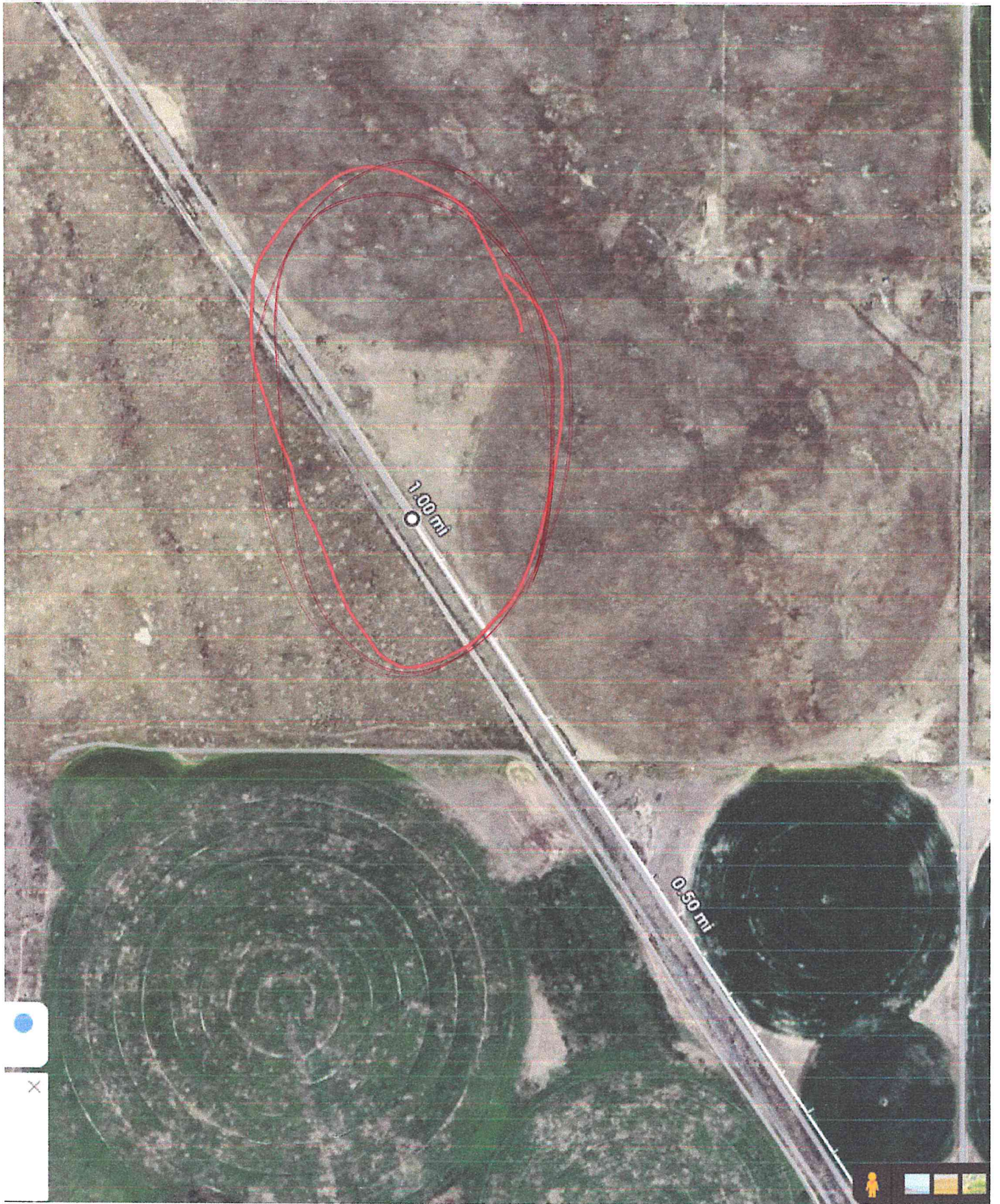
Oregon Short line Macky Branch











RECORDING REQUESTED BY
Flying S Title and Escrow of Idaho, Inc.

AND WHEN RECORDED MAIL TO:
Flying S Title and Escrow of Idaho, Inc.
168 West Pacific Street/PO Box 868
Blackfoot, ID 83221

Instrument # 766075

BINGHAM COUNTY, IDAHO
2024-10-28 02:36:18 PM No. of Pages: 2
Recorded for: FLYING S TITLE AND ESCROW - BL
PAMELA W. ECKHARDT Fee: \$15.00
Ex-Officio Recorder/Deputy DDavis
Index To: WARRANTY DEED
Electronically Recorded by Simplifile

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **1161719-B (jcm)**

Date: **October 22, 2024**

For Value Received, **Merlin Smith, Jr. and Jennifer Smith, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Joshua Blau and Lori Blau, husband and wife**, hereinafter called the Grantee, whose current address is **937 N 900 E, Shelley, ID 83274**, the following described premises, situated in **Bingham County, Idaho**, to-wit:

Township 1 South, Range 32 East, Boise Meridian, Bingham County, Idaho
Section 15: W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$

Less excepting any portion of the Union Pacific Railroad also shown of record as the Oregon Short Line Macky Branch Railroad.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

ZONING AMENDMENT

10-15-3: CONTENTS OF APPLICATION:

Please explain how your request complies with the following criteria.

Applications for amendments to this title shall contain the following information:

- A. Name, address and phone number of applicant.
Joshua and Lori Blau, 937 N 900 E SHELLEY, ID, 83274
Josh- 801-510-2856, Lori 801-510-1063
- B. Proposed text amendment or proposed zone change.
Change zone to A
- C. Present land use and present zone.
Zoned M2, land is vacant and unused, no structures, only partial border fence.
- D. A vicinity map at a scale approved by the Administrator showing property lines, existing roads and proposed zoning and such other items as the Administrator may require.
- E. A statement of how the proposed amendment relates to the Comprehensive Plan and the criteria of the ordinance.
 - The specific purpose of this Plan is to promote the orderly development of the County, to conserve and stabilize the value of property and otherwise promote the health, safety and general welfare of the people of the County as follows:
 - a. To protect property rights, property values and the use of property.
We will be using the land as it was originally intended before the zoning was changed to M2- as agricultural. We will build an appropriate home and structures for personal use that align with the existing aesthetics of homes nearby.
 - b. To ensure that adequate public facilities and services are provided to the people at reasonable cost.
We will work through a home builder and other contractors to install a residential well and septic system which will not impact the city or county water or sewer. We will pull power from the existing line on Taber Rd. We will burn our garbage or dispose of it directly at the transfer station in Blackfoot which will not impact garbage pickup services to existing customers.
 - c. To ensure that the economy of the county is protected and enhanced.
We will bring jobs to the county as we are building and what we build will not detract from existing businesses long term, but support them.

- d. To ensure that the important environmental features of the county are protected and enhanced.
Environmental features will be enhanced with the addition of the hobby farm, which is much better to look at than vacant unused land.

- e. To encourage the protection of prime agricultural, forestry and mining lands for production of food, fiber and minerals.
We'll be reverting the property back to agricultural use.

- f. To encourage urban and urban-type development within or near incorporated cities.
We will use this 5-acre lot for a single-family residence and oppose development of surrounding property for anything other than agricultural or single-family use.

- g. To avoid undue concentration of population and overcrowding of land.
This is a 5-acre lot, with the closest residence 1 mile away. No chance of overcrowding unless the surrounding properties become developed. We will have 1 single-family home on the property, no other residences.

- h. To ensure that the development on land is commensurate with the physical characteristics of the land.
A majority of the property will be used for agriculture, matching the surrounding area.

- i. To protect life and property in areas subject to natural hazards and disasters.
Changing the zoning to A and using it for that purpose will be better for the area than M2 uses, will not create new hazards to the area.

- j. To protect fish, wildlife and recreation resources.
This change will not create hazards for fish, wildlife or recreation resources.

- k. To avoid undue water and air pollution.
We will plant many trees for privacy and windbreaks, fruit trees, appropriate landscaping (including drought-resistant plants) and gardening which will help retain water and prevent air pollution. We will follow guidelines and professional advice for an appropriate septic system. We will dispose of garbage either at the landfill or burn it responsibly when burning is allowed.
- l. To allow local school districts to participate in community planning and development to address school needs and impacts on an ongoing basis.
1 single-family home will not overly impact any schools.

F. Rezone requests for small tracts and/or single ownership tracts must be accompanied by findings that this change will be a continuation of orderly development and be a benefit to community interests. (Ord. 2012-08, 10-9-2012, eff. 10-26-2012)

Explain how your request is compatible with the Purpose of Zones "A" Agriculture

Bingham County Code Section 10-4-2:

B. Agricultural (A): The purpose of the A Zone is to preserve and protect the decreasing supply of agricultural land. This zone also is established to control the infiltration of urban development into agricultural areas which will adversely affect agricultural operations in order to:

1. Allow productive agricultural land areas to be protected.
2. Promote the public health, safety, and welfare by encouraging the protection of viable farm land, in accordance with the Comprehensive Plan, to encourage urban density development inside cities and in areas of City impact; and to protect fish, wildlife, and recreation resources, consistent with the purposes of the Local Land Use Planning Act, Idaho Code section 67-6501 et seq., as amended.
3. Protect agricultural and range land uses and wildlife management areas from unreasonable adverse impacts from adjacent development.

Changing the zoning from M2 to A will in and of itself support "A" agricultural zoning. We will be using the property for residential and agricultural purposes: single family home, beef cows, goats, chickens, gardens, orchard of fruit trees, etc. We will put fences up that keep our animals in and keep wildlife out minimizing risk to free-ranging wildlife and livestock.