

Instrument # 22408916
Bannock County, Pocatello, Idaho
08/22/2024 11:23:43 AM No. of Pages: 3
Recorded for: BANNOCK COUNTY PLANNING & ZONING
Jason C. Dixon Fee: \$0.00
Deputy: nbarnes

BANNOCK COUNTY PLANNING & DEVELOPMENT COUNCIL FINDINGS AND ORDER

VARIANCE PERMIT- RICH PHILLIPS PUBLIC HEARING: AUGUST 21, 2024

FILE #: VAR-24-8

LOCATION: RPR3851013602, addressed as 8255 W. Buckskin Road, Pocatello, Idaho 83201

APPLICANT: **OWNER:**

Rich Phillips
13250 W. Trail Creek
Pocatello, ID 83204

Richard R. Brey
8255 W. Buckskin Road
Pocatello, Idaho 83201

REQUEST & BACKGROUND: Rich Phillips requests a variance from the 50' right-of-way setback requirement (the applicant proposes a 30' setback) for one residential accessory structure.

JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON

SITE CHARACTERISTICS AND ZONING:

ZONING: Residential Suburban

PROPERTY SIZE: ~ 4.92 acres

VIEWS: The property is visible from W Buckskin Road

EXISTING STRUCTURES: Residential dwelling and accessory structures

AREA OF CITY IMPACT: Pocatello

NOTICE AND TESTIMONY REQUIREMENTS:

Notice of the public hearing was completed according to statutory requirements. Public comment was taken according to statutory requirements.

REQUIRED FINDINGS FOR VARIANCE PERMIT, §540

1. The applicant has shown there is **not** a reasonable alternative.

This is based on:

The placement of the structure not reducing farmable ground on this property.

2. The variance is **not** in conflict with the public interest.

This is based on:

Lack of public input and it will be fairly hidden from the road with the existing trees along the roadway.

3. The variance **will not** adversely affect adjacent property.

This is based on:

There is already an existing structure and the required side yard setback will be maintained.

4. If the variance is not granted, the applicant **will** suffer undue hardship caused by the physical characteristics of the site.

This is based on:

The only alternative would reduce current agricultural ground.

Conditions: NONE

ORDER: CONCLUSION AND DECISION

The Planning and Development Council, pursuant to the aforementioned, finds that the request by Rich Phillips for a variance to reduce the right-of-way setback requirements from 50' to 30' from the Residential Suburban zone, for one residential accessory structure, as described in the application, shall be **approved**.

Motion by Edward Ulrich, seconded by Chad Selleneit to adopt the foregoing Findings and Order.

ROLL CALL:

Councilperson Hill	Voted Yes
Councilperson Selleneit	Voted Yes
Councilperson Ulrich	Voted Yes
Councilperson Ward	Voted Yes

Motion carried by a 4 to 0 vote.

Dated this 21st day of August 2024.



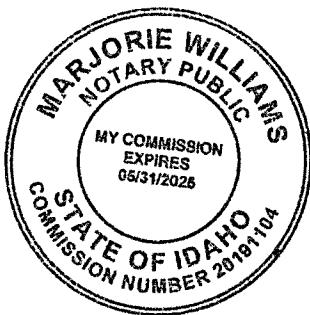
Signed by (Chairperson) (Vice Chair)

ACKNOWLEDGEMENT CERTIFICATE

State of Idaho)
S.S.
County of Bannock)

On this 21st day of August in the year of 2024, before me Marjorie Williams, a notary public, personally appeared Stewart Ward, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that (she) (he) executed the same.

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Marjorie Williams
Notary Public
My Commission Expires on 5/31/2025