

BANNOCK COUNTY PLANNING & DEVELOPMENT COUNCIL FINDINGS AND ORDER

VARIANCE PERMIT- BRADY SMITH PUBLIC HEARING: SEPTEMBER 18, 2024

FILE #: VAR-24-9

LOCATION: RPR3803038109, addressed as 13855 N. Yellowstone, Chubbuck, Idaho 83202

APPLICANT:

Brady Smith
161 Jefferson Avenue
Pocatello, ID 83201

OWNER:

Andrew Briscoe
13855 N. Yellowstone
Chubbuck, Idaho 83202

REQUEST & BACKGROUND: Brady Smith requests a variance in lot size from the minimum of 1 acre to 0.61 acre. The affected property is labeled as parcel RPR3803038109 and is currently addressed as 13855 N. Yellowstone, Chubbuck, ID 83202.

FINDINGS:

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

SITE CHARACTERISTICS AND ZONING:

ZONING: Multiple Use

REDESIGNATION: Residential Suburban

PROPERTY SIZE: ~ 15.23 acres

VIEWS: The property is visible from Yellowstone Hwy

EXISTING STRUCTURES: Residential dwelling and accessory structures

AREA OF CITY IMPACT: Chubbuck

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 existing lot lines, the open space requirements, and the design of the subdivision.

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

This is based on:

Lack of opposition of neighbors as well as it's an existing structure with current utilities.

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

This is based on:

This has existing structures and we aren't altering anything that is already there. There have been no opposition stating this structure is adversely affecting their properties.

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:

If this variance is not granted, it would require the applicant to change open space and would require a significant change to the subdivision.

Conditions:

1. Written approval of a lot size less than 1 acre, from Southeast Idaho Public Health, shall be submitted with the submittal of Dallas Subdivision final plat.
2. Applicant shall prove that the total area of structures on proposed lot 8 does not exceed 35% of the total lot, per Zoning Ordinance §401.C.4.d.

ORDER: CONCLUSION AND DECISION

The Planning and Development Council, pursuant to the aforementioned, finds that the request by Brady Smith for a variance in lot size from the minimum of 1 acre to 0.61 acre, as described in the application, shall be **approved**.

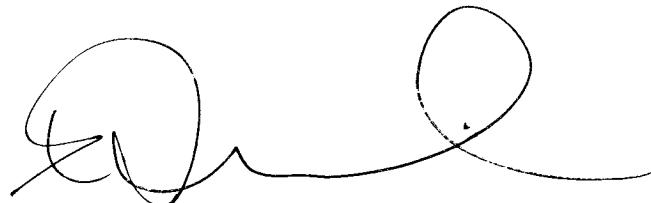
Motion by Molly Dimick, seconded by Chad Selleneit to adopt the foregoing Findings and Order.

ROLL CALL:

Councilperson Dimick	Voted Yes
Councilperson Madsen	Voted Yes
Councilperson Selleneit	Voted Yes
Councilperson Ulrich	Voted Yes
Councilperson Ward	Voted Recused

Motion carried by a 4 to 0 vote.

Dated this 18th day of September, 2024.



Signed by Vice Chair

ACKNOWLEDGEMENT CERTIFICATE

State of Idaho)

S.S.

County of Bannock)

On this 18th day of September in the year of 2024, before me, Marjorie Williams, a notary public, personally appeared Edward Ulrich, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.



Notary Public

My Commission Expires on 5/31/2025

Commission #: 20191104

