

BANNOCK COUNTY PLANNING & DEVELOPMENT COUNCIL  
FINDINGS AND ORDER

REZONE – JERRY JOHNSON  
MEETING DATE: JANUARY 15, 2025

**FILE#:** RZO-24-1  
**LOCATION:** RPR4227005607, RPR4227021204, RPR4227021201, RPR4227021002,  
RPR4227005609, and RPR4227021208, currently unaddressed.

**APPLICANT/OWNER:**

Jerry Johnson  
8890 E. Maughan Road  
Lava Hot Springs, ID 83246

**REQUEST & BACKGROUND:** The applicant, Jerry Johnson, requests to rezone approximately 62.08 acres from Agricultural to Recreational.

**FINDINGS:**

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

**SITE CHARACTERISTICS AND ZONING:**

ZONING: Agricultural

PROPERTY SIZE: ~ 62.08 acres

EXISTING STRUCTURES: Possible accessory structures located on parcel RPR4227021204

**REQUIRED FINDINGS FOR GRANTING A REZONE, §520:**

1. The uses allowed in the proposed district **would not** be compatible with surrounding uses.  
The surrounding uses are predominately agricultural with some residential uses.
2. The proposed zoning district **would not** adversely affect the surrounding neighborhood's stability and property values.  
There are currently no development proposals so the change in zoning would not adversely affect the surrounding neighborhood's stability and property values at this time. This change would also increase the neighbor's ability to rezone.

3. The applicant has shown that there **is not** a need for the proposed zoning district in the County or at the proposed location.  
Zoning Ordinance Section 34.2 currently states that parcels should not be suitable for agricultural uses when considering a recreation zoning designation. Some of these parcels are currently being used for agriculture.
4. The public cost resulting from the change in land use **would not** be excessive when compared with the public benefit derived from the change in land use.  
There are currently no developments proposed so there would not be a public cost with this land use.
5. Adequate public services, utilities, and facilities **would** be available to serve the changed land use.  
Residential development can increase traffic and place demands on local infrastructure. If future development of these parcels occur, these items would need to be more fully addressed. Power is available at the road and is already provided to the property. There are public services available, such as fire and emergency services.
6. The proposed zoning district **would** allow uses that would be detrimental to the environment of the immediate neighborhood.  
Some of the uses allowed in the recreational zoning district would be detrimental to the environment of the immediate neighborhood. This includes multi-family homes, outdoor recreational uses, parks, and golf courses.
7. The requested change **would not** be in accordance with the goals and policies of the County Comprehensive Plan.  
The future land use map is designated as residential rural. The requested change to recreational would not be in conformance with the Comprehensive Plan. Policy 1.3.1 and Table 1.2 are referenced.

## ORDER: CONCLUSION AND DECISION

The Planning and Development Council, pursuant to the aforementioned, finds that the request by Jerry Johnson to rezone approximately 62.08 acres from Agricultural to Recreational, the Council recommends **denial** to the Board of County Commissioners.

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

### ROLL CALL:

Councilperson Dimick	Voted <b>Yes</b>
Councilperson Madsen	Voted <b>Yes</b>
Councilperson Selleneit	Voted <b>Yes</b>
Councilperson Ulrich	Voted <b>Yes</b>
Councilperson Ward	Voted <b>Yes</b>

Motion carried by a 5 to 0 vote.

Dated this 15th day of January, 2025.

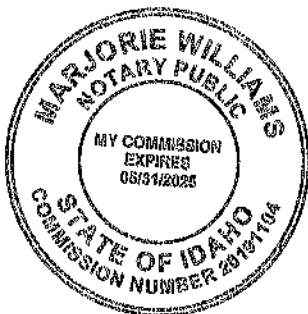
  
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Signed by (Chairperson) (Vice chair)

## ACKNOWLEDGEMENT CERTIFICATE

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

On this 15th day of January, in the year of 2025, 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