

## BANNOCK COUNTY PLANNING & DEVELOPMENT COUNCIL FINDINGS AND ORDER

### VARIANCE PERMIT- BRANDON JACKSON PUBLIC HEARING: JUNE 18, 2025

**FILE #:** VAR-25-5  
**LOCATION:** RP RR WE 30000300 currently addressed as 14687 Berkshire Avenue, Chubbuck, ID 83202  
  
**APPLICANT:** **OWNER:**  
Brandon Jackson Brandon Jackson  
14687 Berkshire Avenue 14687 Berkshire Avenue  
Chubbuck, ID 83202 Chubbuck, ID 83202

**REQUEST & BACKGROUND:** Brandon Jackson requests a variance for rear yard and side yard setbacks for one residential accessory structure. The current rear yard setback is 20' and the applicant is proposing a 5' rear yard setback. The current side yard setback is 10' and the applicant is proposing a 5' side yard setback.

#### FINDINGS:

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

#### SITE CHARACTERISTICS AND ZONING:

ZONING: Residential Suburban

PROPERTY SIZE: ~ 0.50 acres

VIEWS: The property is visible from the road

EXISTING STRUCTURES: Residential dwelling

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:

Due to lot size and it's already accepted in phases 4 through 8, also there's an existing concrete pad. A blanket setback has been approved for Phases 4 through 8.

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

This is based on:

Phases 4 through 8 already have a blanket variance and no public comments in opposition were submitted.

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

This is based on:

Phases 4 through 8 already have a blanket variance and there were no public comments in opposition. Also, adjacent properties have not commented on this variance.

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:

There's nowhere else on the property to build the structure. Also, there's already an existing concrete pad.

Conditions: N/A

## ORDER: CONCLUSION AND DECISION

The Planning and Development Council, pursuant to the aforementioned, finds that the request by Brandon Jackson for a variance for a 5' side yard setback and 5' rear yard setback, as described in the application, shall be **approved**.

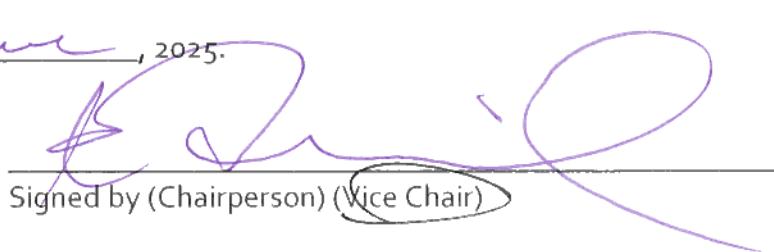
Motion by Krystal Madsen, seconded by Molly Dimick to adopt the foregoing Findings and Order.

### 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 18<sup>th</sup> day of June, 2025.

  
Signed by (Chairperson) (Vice Chair)

### ACKNOWLEDGEMENT CERTIFICATE

State of Idaho)

S.S.

County of Bannock)

On this 18<sup>th</sup> day of June, in the year of 2025, before me Marjorie Williams, a notary public, personally appeared Edward Ulrich as chair(vice-chair) on behalf of the Bannock County Planning and Development Council, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that they executed the same.

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Marjorie Williams  
Notary Public

My Commission Expires on 5/31 2031