

BANNOCK COUNTY PLANNING & DEVELOPMENT COUNCIL FINDINGS AND ORDER

VARIANCE PERMIT- TED VAN HORN PUBLIC HEARING: AUGUST 20, 2025

FILE #: VAR-25-11
LOCATION: RPRRSGP003202 and is currently addressed as 3670 Utah Drive, Inkom, ID 83245.

APPLICANT: **OWNER:**
Ted Van Horn
3670 Utah Drive
Inkom, ID 83245 Ted Van Horn
3670 Utah Drive
Inkom, ID 83245

REQUEST & BACKGROUND: Ted Van Horn requests a variance for right-of-way setbacks for two (2) Connex structures. The current right-of-way setback for Old Hwy 91 is 50' and the applicant has proposed a 12' right-of-way setback for the two (2) Connex structures.

FINDINGS:

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

SITE CHARACTERISTICS AND ZONING:

ZONING: Residential Rural

PROPERTY SIZE: ~ 1.00 acre

VIEWS: The property is visible from the road

EXISTING STRUCTURES: One residential accessory structure and two (2) Connex structures

AREA OF CITY IMPACT: None

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** a reasonable alternative.

This is based on: To relocate or remove the conex boxes to meet set back requirements of Bannock County ordinance and Road & Bridge.

2. The variance **is** in conflict with the public interest.

This is based on: Traffic safety and concerns from Road & Bridge.

3. The variance **will** adversely affect adjacent property.

This is based on: Concerns with setting a precedence for current county setback requirements in a developing neighborhood as well as traffic visibility.

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

This is based on: The ability to relocate or remove the conex structures.

Conditions: None

ORDER: CONCLUSION AND DECISION

The Planning and Development Council, pursuant to the aforementioned, finds that the request by Ted Van Horn for a variance for 12' right-of-way setback from Old Hwy 91 for the two (2) Connex structures, as described in the application, shall be **denied**.

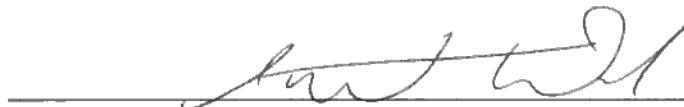
Motion by Edward Ulrich, seconded by Molly Dimick to adopt the foregoing Findings and Order.

ROLL CALL:

| | |
|-------------------------|-----------|
| Councilperson Dimick | Voted Yes |
| Councilperson Madsen | Voted Yes |
| Councilperson Selleneit | Voted Yes |
| Councilperson Ulrich | Voted Yes |
| Councilperson Ward | Voted Yes |

Motion carried by a 5 to 0 vote.

Dated this 20th day of August, 2025.



Signed by (Chairperson) (Vice Chair)

ACKNOWLEDGEMENT CERTIFICATE

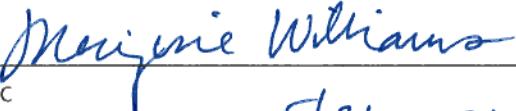
State of Idaho)

S.S.

County of Bannock)

On this 20th day of August, in the year of 2025, before me Marjorie Williams, a notary public, personally appeared Stewart Ward 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