

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 a single-family dwelling. The current right-of-way setback for Utah Drive is 30' and the applicant is proposing a 20' right-of-way setback for the single-family dwelling.

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 not** a reasonable alternative.

This is based on: Location of the existing septic system and the required setback from the septic tank.

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

This is based on: The traffic off of Utah will be less than the traffic off of Aubrey or US Old Hwy 91. And a 25 ft setback from Utah will provide sufficient distance from the septic tank.

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

This is based on: It does not adversely affect the adjacent property. The side setbacks will be maintained. The setback request was adjusted through a condition to minimize the impact.

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: Location of the existing septic system and the required setback from the septic tank.

Conditions: The right-of-way setback along Utah will be no less than 25 ft.

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 a 25' right-of-way setback Utah Drive for the single-family dwelling, as described in the application, shall be **approved**.

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

ROLL CALL:

Councilperson Dimick
Councilperson Madsen
Councilperson Selleneit
Councilperson Ulrich
Councilperson Ward

Voted Yes
Voted Yes
Voted Yes
Voted Yes
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