

## BANNOCK COUNTY PLANNING & DEVELOPMENT COUNCIL FINDINGS AND ORDER

### VARIANCE PERMIT- JOHN R. GOOD PUBLIC HEARING: OCTOBER 22, 2025

**FILE #:** VAR-25-13  
**LOCATION:** RPRRRBEE001500 and is currently addressed as 131 E. Cindy Avenue, Inkom, ID 83245  
**APPLICANT:** **OWNER:**  
John R. Good John R. Good  
131 E. Cindy Avenue 131 E. Cindy Avenue  
Inkom, ID 83245 Inkom, ID 83245

**REQUEST & BACKGROUND:** John Good requests a variance for a side yard setback for a covered awning. The current side yard setback is 20' and the applicant is proposing a 0' side yard setback.

#### FINDINGS:

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

#### SITE CHARACTERISTICS AND ZONING:

ZONING: Residential Rural

PROPERTY SIZE: ~ 1.60 acres

VIEWS: The property is visible from Cindy Avenue and Leta Drive

EXISTING STRUCTURES: Residential dwelling and residential accessory structure

AREA OF CITY IMPACT: Inkom

VARIANCE: Variance was approved for this shop in 2021 when it burned down. Variance was for 17' instead of 20'.

#### 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:

Existing footprint of the previous structure and it's a replacement in the same location.

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

This is based on:

There were no public opposition and based on applicant testimony.

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

This is based on:

The statement of the applicant who is in favor of this variance and based on the conditions provided.

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:

Existing footprint of the previous structure and it's a replacement in the same location.

### Conditions:

1. The structure shall comply with all applicable fire separation and building code requirements for walls located on or near the property line, including fire-rated wall construction and restrictions on window and door openings.
2. No windows, vents, or other wall openings shall be permitted within the zero-lot-line wall.
3. Jackson Creek Fire District review and approval shall be required prior to issuance of a building permit.
4. Roof eaves, gutters, and downspouts shall not encroach over the property line unless an easement or written consent from the adjacent property owner is provided and recorded.
5. No structure or footing shall encroach across the property line.
6. An engineered drainage plan shall be submitted and approved by the County Engineer ensuring that no runoff from roofs or impervious surfaces flows onto adjacent properties.
7. A privacy buffer shall be required along the property line to mitigate visual or privacy impacts to the neighboring property.
8. Will need a letter of approval from the adjacent property owner to reference the variance setbacks and conditions.

## ORDER: CONCLUSION AND DECISION

The Planning and Development Council, pursuant to the aforementioned, finds that the request by John R. Good for a variance for a 0' side yard setback, as described in the application, shall be **approved**.

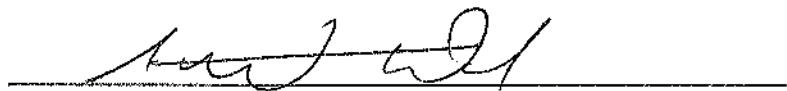
Motion by Chad Selleneit, seconded by Molly Dimick to adopt the foregoing Findings and Order.

### ROLL CALL:

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

Motion carried by a 4 to 0 vote.

Dated this 22nd day of October, 2025.

  
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Signed by Chairperson

## ACKNOWLEDGEMENT CERTIFICATE

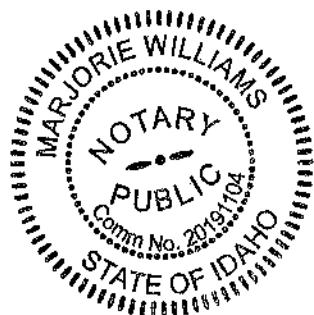
State of Idaho)

S.S.

County of Bannock)

On this 22nd day of October, in the year of 2025, before me Marjorie Williams, a notary public, personally appeared Stewart Ward as 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