



# PLANNING AND DEVELOPMENT SERVICES

5500 S 5<sup>th</sup> Ave | Pocatello, Idaho 83204 | 208.236.7230 | [www.bannockcounty.gov](http://www.bannockcounty.gov)

**AMENDED**

## AGENDA

BANNOCK COUNTY

PLANNING & DEVELOPMENT COUNCIL MEETING

MARCH 18, 2026 – 5:15 PM

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The public meeting will be held in Conference Room 1, Office of Planning and Development Services, 5500 S 5<sup>th</sup> Ave, Pocatello, ID 83204

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Any citizen who wishes to address the Council, must first complete a sign-up sheet and give their name and address for the record. If a citizen wishes to read documentation of any sort to the Council, they must have a copy available to submit as part of the record. There will be a three (3) minute time limitation for presentations by citizens. The purpose of this agenda is to assist the Council and interested citizens in the conduct of this public meeting. **Citizens should examine the agenda for the item of their interest. However, citizens are advised that only Public Hearings allow for public comment during the discussion / consideration process.** Citizens have an opportunity to be heard by the Council if the item meets the criteria as described in the agenda. *You must sign in at the start of the meeting to be recognized.*

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**RECESS:** The Council Chair or Vice Chair may call a recess, as they deem necessary, to allow Council members and participants a brief rest period.

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Bannock County complies with requirements of the Americans with Disabilities Act. Special accommodations can be provided with three (3) days advance notice by calling 208.236.7230, emailing [development@bannockcounty.gov](mailto:development@bannockcounty.gov), or coming into the office.

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| AGENDA ITEM NO. | 1. | ROLL CALL AND DISCLOSURE OF CONFLICT OF INTEREST – EX-PARTE COMMUNICATION AND SITE VISIT<br>Disclose any communication, including who was there and the basic substance of conversation. Disclose if a site visit was made, location(s) of the site visit and what was seen. |
| AGENDA ITEM NO. | 2. | PRELIMINARY BUSINESS<br>a) Agenda Clarification and Approval ( <b>Action Item</b> )                                                                                                                                                                                          |

\*Agenda is subject to change up to 48 hours before the meeting

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b) Swear-in Council Member – Stewart Ward

- AGENDA ITEM NO. 3. APPROVAL OF MINUTES (**ACTION ITEM**)
- a) January 21, 2026
  - b) February 18, 2026

**PUBLIC HEARING ITEMS**

**(The procedure used for conducting the public hearings is at the end of this agenda.)**

- AGENDA ITEM NO. 4. VARIANCE FROM §327 – BUILDING BULK AND PLACEMENT STANDARDS – ACTION ITEM: Krystal Chanda requests a variance for a riparian area setback from 100’ to 30’ to build a single-family residence and retaining wall. The affected property is labeled as parcel RPR4225001107 and is currently unaddressed. The procedures and standards for evaluating a variance petition are found in §540 of the Bannock County Zoning Ordinance; approval or denial of this request shall be in accordance with standards prescribed therein. Type of action: Decision.

- AGENDA ITEM NO. 5. SUBDIVISION CONCEPT PLAN – WESTFIELD ESTATES DIVISION 7 – ACTION ITEM: Pursuant to Section 302 of the Bannock County Subdivision Ordinance, David Assan proposes to subdivide approximately 6.78 acres of land into twelve (12) buildable lots. The buildable lots would range from 0.42 to 0.60 acres in size. The subject property is parcel RPR3853006606 located off of W. Siphon Road and N. Rio Vista Road, county-maintained roads. The development proposes to connect to City of Chubbuck water and sewer. Type of action: Decision.

- AGENDA ITEM NO. 6. ~~CONDITIONAL USE PERMIT – ACTION ITEM – PRIVATE NON-COMMERCIAL AIRSTRIP: Andrew Akers petitions for a conditional use permit for a private non-commercial airstrip on approximately 108.25 acres. The subject property is known as parcel RPR4013018706 and is currently unaddressed and parcel RPR4013019100 is currently unaddressed. At the hearing, Council shall evaluate the proposed use against criteria established in §530 of the Zoning Ordinance. Type of action: Decision.~~

AGENDA ITEM NO. 7. VARIANCE FROM §337 – BUILDING BULK AND PLACEMENT STANDARDS – ACTION ITEM: Dustin Manwaring requests a variance for a side yard setback from 10’ to 5’ to build a shop. The affected property is labeled as parcel RPRRGJA000500 and is currently addressed as 3241 Limelight, Pocatello, ID 83201. The procedures and standards for evaluating a variance petition are found in §540 of the Bannock County Zoning Ordinance; approval or denial of this request shall be in accordance with standards prescribed therein. Type of action: Decision.

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AGENDA ITEM NO. 8. ITEMS OF INTEREST  
a) Update on recommendations to Commissioners  
b) Discussion of upcoming hearing items  
c) Announcements

AGENDA ITEM NO. 9. CITIZEN COMMENTS  
This time has been set aside to hear items from the audience, not listed on the agenda. Items which appeared somewhere else on the agenda will not be discussed at this time. The Council is not allowed to take any official action at this meeting on matters brought forward under this agenda item. You must sign in at the start of the meeting in order to be recognized. Note: Total time allotted for this item is fifteen (15) minutes, with a maximum of three (3) minutes per speaker.

AGENDA ITEM NO. 10. WORK SESSION  
a) Land Use & Development Ordinance Update

AGENDA ITEM NO. 11. ADJOURN

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The application for each item will be available to the public by request at Planning and Development Services office and on the department’s website at [www.bannockcounty.us/planning](http://www.bannockcounty.us/planning). Written testimony of fewer than two (2) pages must be received by the Planning and Development Services office no later than **March 10, 2026**. Written testimony may also be sent to [development@bannockcounty.gov](mailto:development@bannockcounty.gov). Any written testimony not received by the deadline must be brought to the council meeting and presented at the public hearing. All submitted testimony shall be considered public record. Discriminatory testimony

shall not be permitted. Written testimony must comply with standards established in §560.7 of the Bannock County Zoning Ordinance.

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### **PUBLIC HEARING PROCEDURE**

1. A presentation is made by the applicant.
2. An explanation of the subject of the hearing is presented by the Planning and Development Service staff. (No time limit)
3. Testimony is given by the audience in favor of the proposal and then neutral on the proposal and against the proposal. Questioning of the participants, and rebuttals are entertained by the Planning and Development Council
4. The applicant may rebut the arguments offered by the opposition.
5. The Planning and Development Council discusses the hearing subject; they may direct questions to the staff, the applicant and the audience during this stage of the hearing process.
6. The hearing is closed to oral testimony from the applicant and the audience. The hearing process is concluded.

The Council accepts oral testimony and may accept limited written testimony from those in attendance, but only if the parties have filled out the testimony sign-in sheet. **If you have submitted written testimony as part of the packet, you cannot also give an oral testimony unless it is to read the written testimony into the record.** In order to keep a clear audio recording of this hearing, when testifying, a person must come to the podium and state their full name and address. Comments will not be accepted from the audience seats and discriminatory testimony shall not be permitted. There shall be no booing, hissing, or cheering.

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## AGENDA ITEM NO. 2

### Preliminary Business

- a) Agenda Clarification and Approval
- b) Swear-in Council Member – Stewart Ward

**OATH OF OFFICE**

STATE OF IDAHO }  
County of Bannock } SS

I, Stewart Ward, do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution and Laws of this State; and that I will faithfully discharge the duties of the office of

PLANNING AND DEVELOPMENT COUNCIL MEMBER

according to the best of my ability, so help me God.

SUBSCRIBED IN MY PRESENCE BY THE SAID  
and by him

\_\_\_\_\_  
Stewart Ward

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ 2026.

\_\_\_\_\_  
County Commissioner

Term Expires: 03-01-2029

## AGENDA ITEM NO. 3

### Approval of Minutes

- a) January 21, 2026
- b) February 18, 2026

**BANNOCK COUNTY PLANNING AND DEVELOPMENT COUNCIL**

**DRAFT** MEETING MINUTES | January 21, 2026

**BANNOCK COUNTY STAFF PRESENT:** Hal Jensen, Planning Director, Tristan Bourquin, Assistant Planning Director, Alisse Foster, Subdivision Planner, and Annie Hughes Williams, Zoning Planning.

Ward calls the meeting to order at 5:19 p.m.

**1. ROLL CALL AND DISCLOSURE OF CONFLICTS OF INTEREST:**

Present Council Members: Stewart Ward, Chad Selleneit, Ed Ulrich, Molly Dimick, and Krystal Madsen.

Ward recused from Agenda Item No. 10 and has spoken to a few of the neighbors on Agenda Item No. 9, but it will not affect decision tonight.

Selleneit on Agenda Item No. 6, familiar with the property and have done some repairs there, but no conflict. Also, Agenda Item No. 8, did some work there and familiar with the property, but no conflict.

**2. PRELIMINARY BUSINESS AGENDA CLARIFICATION AND APPROVAL:**

Hal Jensen, Planning Director, no items needed for agenda clarification.

Ulrich makes motion to approve agenda as written. Dimick seconds. All in favor.

Ulrich makes a motion for Stewart Ward as Chair and Chad Selleneit as Vice Chair for 2026. Dimick seconds. All in favor.

**3. APPROVAL OF MINUTES:**

Madsen makes motion to approve minutes as written for November 19, 2025.

Ulrich seconds. All in favor.

**PUBLIC HEARING:**

Ulrich makes motion to open public hearing. Selleneit seconds. All in favor.

**4. COMPREHENSIVE PLAN FUTURE LAND USE MAP AMENDMENT – ACTION ITEM:**

Kirk Jackson proposes the redesignation of approximately 62.41 acres of land from Agricultural

to Residential Rural on the Future Land Use Map. The subject properties are located in Sections 14 and 23 of Township 11 South, Range 37 East of the B.M., and are identified as parcels RPR4433012501 and RPR4433025408.

Kirk Jackson, 6598 East Brush Creek, Downey, ID 83234. The proposal is for two 5-acre lots and possibly one larger lot, maybe in the 12 to 18-acre range. The two 5-acre lots will border Brush Creek Road. It is a paved road and school bus route. Rocky Mountain Power is across the street from these lots. Based on what I have read, it meets all of the county's criteria in the land use plan.

Selleneit stated, "we have some future land use and ordinances that are coming down the pipe, which could change this. We do not know what exactly those are going to be and when they are coming, but there are some changes that are proposed, what I have seen, for agricultural ground, instead of 40-acres. There might be some 10-acre lots available in that. I guess we just go with the way it is right now or wait a year and things might change."

Kirk Jackson, "I assume that given our application was made under the current rules that it would be treated under those rules."

Ward, "Correct. Yeah, we are looking at it as today's rules."

Selleneit stated, "I think I read somewhere in your application that it wasn't like a hurry thing. At some point you stated, and that's why I talked about maybe some future land changes that are being proposed. We don't know what those are yet or when they are going to be applied or if they are going to be applied."

Kirk Jackson, "Well, if you could get rid of the open space, that would be handy, but once that is done, it is done."

Ward, "One question I have for you, is this on two different parcels?"

Kirk Jackson, "That second parcel, so the two five-acre parcels are on and I couldn't tell you the parcel number now. They border Brush Creek Road. There would be a third parcel behind that in the neighborhood of 14 acres on that parcel, plus there is one and three-quarter acres that sticks out into a different section."

Ward, "You are wanting to change all of that, including that one point."

Kirk Jackson, "Yeah, I mean if you are doing it, we might as well do all of that, which is the little piece."

STAFF

Annie Hughes, Zoning Planner, "Do you have any questions regarding the staff report?"

No questions.

PUBLIC TESTIMONY

Public testimony in favor:

Debbie Jackson, 6598 East Brush Creek, Downey, ID. Wanted to clarify that this land use change does not change neighbors' properties from being zoned agriculture because it is on an individual basis. Property along Cambridge Road is already zoned rural residential and there hasn't been a new house built on Cambridge Road near our place for 50 years. It is a responsible use of land, already have all the amenities of power. Only 2 ½ miles from Downey city limits. Not many 100-acre farms for sale in Bannock County. The property facing each direction shows that there are other residential homes within a quarter mile, both north and south, and there is also water.

Public testimony neutral:

None.

Public testimony opposed:

Steve Criddle, 21709 South Cambridge Road, Downey, ID. Concerned about houses below. Barn well at 40 feet. Two more houses going by the cemetery. Worried about the water. Last roads to be worked so it is a problem on that area. Runs cattle above there and if neighbor doesn't fix fence, cattle naturally drift down to Mr. Jackson's place. Mr. Jackson is not kind to my cattle. He puts them on the neighbor's wheat field, which gets me in trouble. It is open range. Last time they change boundaries, I tried to get Mr. Jackson to fix the fence. Offered to help with equipment. New owners fixed fence. More traffic.

Rebuttal:

Kirk Jackson, 6598 East Brush Creek, Downey, ID 83234. This property is located three-quarters of a mile from Criddle's house. He does run cows up and down this road, but this property is all fenced. Anybody buying lots will need to put up a gate. If Criddle was concerned about wells, he wouldn't have sold the two five-acre lots across the street and they both drilled wells. I have a 110-foot well on my place and initially it was about 22 gallons a minute. Now it is over 40 gallons a minute. There seems to be plenty of water.

Dimick, “I don’t have any concerns with it. It would be a continuation of the residential rural to the southwest.

Selleneit, “Right. Even though it is boarding residential rural, I am talking with the current zoning ordinances that are in place, not about our future ones. But where do we, are we opening the door for everybody now that has a piece of agricultural ground to rezone it and change the comprehensive plan? We give this recommendation to the commissioners for this person, but then we get another applicant and we don’t give our recommendation to the commissioners.”

Ulrich, “I think the door is already open. Marsh Valley has been seeing exponential growth over probably the last 10 – 15 years that wasn’t anticipated. With Pocatello and Chubbuck’s markets being as high as they are, people want to get away from that. You can say it is setting a precedence, but the fact that this committee changes as frequently as it does, we still have that opportunity to hear each individual and state our own opinion on it. And the future land use map can and will change. Again, when you are talking about people who own a 60-acre farm, I am not sure if Mr. Jackson’s a farmer or not. If he just bought the land, it is irrelevant to our discussion, but I do know for a fact that it is hard to make a living on a 60-acre farm and if it doesn’t get cut up and used as residential, rural, and bring more people in, it just turns into a giant weed patch that becomes a hazard. There are lots of pros and cons to it. By no means do I want to offend people who don’t want to see the growth out there, but, unfortunately, people like money and you can’t make money farming. The next best thing is making money selling pieces of land that you don’t want to maintain anymore. As far as the water issue, IDWR has nothing to do with us, just to clarify.”

## FINDINGS

1. The existing 2040 Comprehensive Plan and/or any related element thereof is in need of the proposed Plan Amendment. It borders existing residential rural zone and provides continuity with the surrounding residential properties. The Comprehensive Plan is a guiding document and the lines are not absolute.
2. The proposed Plan Amendment will not have major negative impacts on transportation, services, and facilities. Parcels are located and accessible by existing roadways.
3. Strict adherence to the 2040 Comprehensive Plan would result in a situation neither intended nor in keeping with other key elements and policies of the Plan. It would slow the growth in Bannock County and would restrict property owners from doing what they would like with their property.

4. The proposed Plan Amendment will promote the public welfare and will be consistent with the goals and policies of the 2040 Comprehensive Plan and the elements thereof. Goal 2.1 A rural atmosphere that provides opportunity for those seeking an agricultural lifestyle. Goal 2.2 Development that fosters economic growth while maintaining the rural character of the county. Strategy 2.2.4 Allow rural developments to offer a mix of lot sizes to support people with diverse incomes, uses, and needs. Goal 3.3 A rural atmosphere with a variety of house and commercial development opportunities.

Ulrich, based on the record and the discussion this evening, the Council recommend approval to the Board of County Commissioners the request made by Kirk Jackson to amend the Future Land Use Map as described in the application materials as supplemented with additional information attached in the staff report and according to testimony received, and to adopt the proposed findings and order for signature by the Chair or Vice-Chair.

Selleneit seconds.

Roll call. Ward – yes. Selleneit – yes. Dimick – yes. Madsen – yes. Ulrich – yes.

Motion approved 5-0.

#### **5. ZONING ORDINANCE MAP AMENDMENT/REZONE – ACTION ITEM:**

Kirk Jackson proposes the redesignation of approximately 62.41 acres of land from Agricultural to Residential Rural on the Zoning Map. The subject properties are located in Sections 14 and 23 of Township 11 South, Range 37 East of the B.M., and are identified as parcels RPR4433012501 and RPR4433025408.

Kirk Jackson, 6598 East Brush Creek, Downey, ID. We are talking about two 5-acre lots that border East Brush Creek Road. There will be one larger lot that we would have the private road to. It is a paved road and bus route. There is power right across the street. There is a fire service and ambulance service in Downey. The one point I would make would be this. I have been contacted by neighbors, the kids of neighbors that want to buy some property out there, but there isn't any. I don't have a lot of property that I can divide up, but I could help a couple of people out.

STAFF

Annie Hughes, Zoning Planner, "Do you have any questions regarding the staff report?"

No questions.

## PUBLIC TESTIMONY

### Public testimony in favor:

Debbie Jackson, 6598 East Brush Creek, Downey, ID. This hasn't been a profitable farm area because it is dry farm. It makes a perfect setting that is not far from city limits for real residential, which is a wonderful use of that land. Better than a gravel pit or KOA.

### Public testimony neutral:

None.

### Public testimony opposed:

Steve Criddle, 21709 South Cambridge Road, Downy, ID. I am a dry farmer and have been all my life. There is a wheat field right next to where this property's going and grows wheat every year. I thought farm ground was going to be saved. This piece of ground is one of the best pieces of dirt in the east side of Downey. I understand the 62 acres, but if you go 10 acres, there are going to be houses everywhere.

### Rebuttal:

Kirk Jackson, 6598 East Brush Creek, Downey, ID 83234. Don't know if this piece of clay could be considered the best ground in the valley. You can't make money farming 60 acres. Equipment every year costs more than I get for the crop. Dividing it up for residential rural is the only reasonable thing to do.

## FINDINGS

1. The uses allowed in the proposed district would be compatible with surrounding uses. The property is adjacent to other residential rural property to the west.
2. The proposed zoning district would not adversely affect the surrounding neighborhood's stability and property values. Residential rural offers the potential for an increase in the tax base and could increase property values compared to agricultural land.
3. The applicant has shown that there is a need for the proposed zoning district in the County or at the proposed location. The proposal is needed to help facilities Comprehensive Plan: Strategy 2.2.4 Allow rural developments to offer a mix of lot sizes to support people with

diverse incomes, uses, and needs. Strategy 3.2.1 Appropriately zone locations within the county to allow for a variety of residential, agricultural, commercial, and industrial uses.

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. The roads, access, and utilities are already located in the proposed area. The proposal would provide the potential for an increase in the tax base.
5. Adequate public services, utilities, and facilities would be available to serve the changed land use. The roads, access, and utilities are already located in the proposed area.
6. The proposed zoning district would not allow uses that would be detrimental to the environment of the immediate neighborhood. The area to the west is already designated as residential rural and this proposal would be aligned with surrounding uses.
7. The requested change would be in accordance with the goals and policies of the County Comprehensive Plan. Goal 2.2 Development that fosters economic growth while maintaining the rural character of the county. Strategy 2.2.4 Allow rural developments to offer a mix of lot sizes to support people with diverse incomes, uses, and needs. Strategy 3.2.1 Appropriately zone locations within the county to allow for a variety of residential, agricultural, commercial, and industrial uses.

Selleneit, based on the record and the discussion this evening, the Council recommend approval to the Board of County Commissioners the request by Kirk Jackson to rezone approximately 62.41 acres from Agricultural to Residential Rural as described in the application with additional information attached in the staff report and according to testimony received, and to adopt the proposed findings and order for signature by the Chair or Vice-Chair.

Dimick seconds.

Roll call. Ward – yes. Selleneit – yes. Dimick – yes. Madsen – yes. Ulrich – yes.

Motion approved 5-0.

#### **6. CONDITIONAL USE PERMIT – ACTION ITEM – INDOOR DOG KENNEL:**

Kymerly Lish petitions for a conditional use permit for an indoor dog kennel on approximately 3.01 acres. The affected property is known as parcel RPR4227024606 and is currently addressed as 9104 Victory View Road, Lava Hot Springs, ID 83246. Proposed hours of operation are 8:00 a.m. to 6:00 p.m., seven days a week.

Kymberly Lish, 9104 Victory View Road, Lava Hot Springs, ID. Comprehensive plan states in its mission statement that Bannock County will promote economic development. Had kennel since 2012. Good members of the community. Asking to build new kennel building and to continue business.

Ward, "You just want to move your business?"

Kymberly Lish, "Right, because I had it in Arimo at previous residence."

Ward, "You are not going to have customers daily coming and going."

Kymberly Lish, "No. I have had less than 40 customers come throughout the entire year to my home."

Dimick, "Can you talk about the planned building structure and if there would be any soundproofing?"

Kymberly Lish, "I have a bid on having it insulated."

Madsen, "Do you currently have dogs breeding and where are they now?"

Kymberly Lish, "Dogs are in a makeshift outdoor kennel. Placed order for building, but on hold until permitting has been approved."

STAFF

Annie Hughes, Zoning Planning, "Do you have any questions regarding the staff report?"

Selleneit, "In permitting what is allowed and what is not allowed in recreational zoning? Why do we have a to have a CUP for dogs, and not horses, goats, and cows with a truck or trailer coming in and out every day?"

Tristan Bourquin, Assistant Planning Director, "You will have to ask the people who wrote the ordinance in 1998."

Ward, "Question regarding Condition No. 1, adequate trash collection."

Ulrich, "We can strike condition."

Dimick, “Is staff able to provide any clarification or facts about the Moose Hollow Road easement?”

Tristin Bourquin, Assistant Planning Director, “I haven’t done enough research to know whether we can conform or deny any of it. That falls on the title company.”

#### PUBLIC TESTIMONY

##### Public testimony in favor:

David Demain, 11267 S. Moose Hollow Road, Lava Hot Springs, ID  
Peter Wiegman, 9104 Victory View Road, Lava Hot Springs, ID  
Natashia Huhn, 1966 W. Portneuf Road, Inkom, ID  
Richard Lish, 9104 Victory View Road, Lava Hot Springs, ID  
Janice Barnes, 11273 Moose Hollow Road, Lava Hot Springs, ID  
Buck Walker, 11299 Moose Hollow Road, Lava Hot Springs, ID  
Lonnie Gunter, P.O. Box 61, Arimo, ID  
Steve & Debbie Christensen, Arimo, ID  
Darla Jons, Arimo, ID  
Michael Jons, Arimo, ID  
Rowdy & Amy Johnson, Arimo, ID  
Dale & Ivalue Hatch, Arimo, ID  
Patti Far, Arimo, ID

##### Public testimony neutral:

David Tew, 11169 S. Moose Hollow, Lava Hot Springs, ID

##### Public testimony opposed:

Kenneth Krivanek, 8842 Victory View Road, Lava Hot Springs, ID  
Jerome & Linda Chaffee, 8778 Victory View Road, Lava Hot Springs, ID  
Gary Ross, 11795 Joyce Lane, Lava Hot Springs, ID  
Stan Vogt, 12534 N. Lunar Street, Lava Hot Springs, ID

##### Rebuttal:

Kymerly Lish, 9104 Victory View Road, Lava Hot Springs, ID. Not a part of any subdivision and not subject to any restrictions or bylaws and understand this would be a civil issue. Dogs do not disrupt wildlife and discussed breeding of dogs and kennels.

## FINDINGS

1. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district. Permitted uses include bed and breakfast of under 6 bedrooms, carnival or circus, and day cares up to 6 kids. The proposed use is going to be significantly less traffic than those uses.
2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use. Permitted uses include bed and breakfast of under 6 bedrooms, carnival or circus, and day cares up to 6 kids. The proposed use is going to be significantly less traffic than those uses. The applicant has also addressed traffic patterns through testimony stating that it is based on litters and does not occur on a regular basis. The traffic is less than one trip per week on average.
3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity. This will be an indoor kennel and will be contained within a permitted structure. Public comments also testify to the clean and quiet nature of the operation.
4. The proposed use would be consistent with the goals and policies of the Comprehensive Plan of the county. Goal 3.2 A strong and diverse economy. Strategy 3.2.3 Support the development of economic incentives for business expansion and growth.
5. The proposed use would be designed to be as compatible in terms of building height, bulk, scale, setbacks, open spaces, and landscaping with adjacent uses as is practical. The structure will go through plan review and permitting with the Planning and Development department to meet these requirements.

Madsen, based on the record and the discussion this evening, I move to approve the request by Kymberly Lish for a Conditional Use Permit to have an indoor dog kennel on her property, as described in the application materials as supplemented with additional information attached in the staff report and according to testimony received, and to adopt the proposed findings and order for signature by the Chair or Vice-Chair.

## CONDITIONS

1. Adequate trash collection and disposal will be provided by the owner.
2. Hours of operation will be from 8:00 a.m. – 6:00 p.m.
3. The operation shall not create a nuisance related to noise, odor, traffic, or visual impacts.

4. No signage
5. No more than 5 dogs for breeding and training, not owned by the property owner, shall be on site at any given time.

Dimick seconds.

Roll call. Ward – yes. Selleneit – yes. Dimick – yes. Madsen – yes. Ulrich – yes.

Motion approved 5-0.

## **7. SUBDIVISION CONCEPT PLAN – SHAW HOLLOW ESTATES – ACTION ITEM:**

Pursuant to Section 302 of the Bannock County Subdivision Ordinance, Shane Remer proposes to subdivide approximately 10.097 acres of land into two (2) buildable lots and one (1) open space lot. The buildable lots would range from 1.485 to 3.563 acres in size. The subject property is parcel RPR4015006605 located off of N. Rapid Creek Road, a county-maintained road. The development proposes individual well and septic systems.

Jay Roche, 2860 N. Rapid Creek Road, Inkom, ID. Asking for simple subdivision. Little over 10 acres off Rapid Creek Road. Open space 5 acres. Want one building right on the north side of the property 1.5 acres. The other side is 3.5 acres and wanting another building site.

Selleneit, asked, if power was to run to the open space?”

Jay Roche, “Yes, thought there was something in the ordinance that was requiring that. Didn’t really want to do that, but worked it out with power company.”

Alisse Foster, Subdivision Planner, “The ordinance does not specify that power shall be brought to buildable lots. It says it will be brought to lots in a platted subdivision.”

Selleneit, “Because that is a platted subdivision, it has three lots, one an open space lot.”

Alisse Foster, Subdivision Planner, “Correct.”

STAFF

Alisse Foster, Subdivision Planner, “You have had the staff report in front of you. There was one question based off of the site plan and conversation with the applicant. Their site plan shows Shaw Hollow Lane as being named. If it is to be named based on Road & Bridge policy requirements, it would have to be dedicated to a county road, meet the standards, and be

blacktop. Road & Bridge would prefer not to have to maintain a road that size, no named driveway. The ordinance does allow, because it is less than four lots, to not have that be required as a road instead of an easement. The road name would have to be removed in order for it to be an access easement and not have to be paved.”

Jay Roche, “I thought on the website it has already been taken off. At least on this that Shane had sent to us, it says private road with the easement on there. So, it should already be that way.”

Alisse Foster, Subdivision Planner, “We did not receive an updated site plan, which is why I wanted to clarify.”

Discussed conditions and changes.

#### PUBLIC TESTIMONY

Public testimony in favor:

None.

Public testimony neutral:

Dave Morrison, 3333 N. Rapid Creek Road, Inkom, ID  
Rochelle Hunter, 3340 N. Rapid Creek Road, Inkom, ID

Public testimony opposed:

None.

Rebuttal:

Jay Roche, 2860 N. Rapid Creek Road, Inkom, ID. Understand public concerns. In favor of figuring out a way for property units with them. Chandler’s never established the units, it is just what they use. Would never want to shut somebody else’s water off and do not want a road or anything like that, but would allow access. Maybe a 25 foot, something they could get a backhoe through.

Council discussed conditions and easements.

## FINDINGS

1. The proposed tentative plan is in conformance with the Bannock County Comprehensive Plan; is in conformance with applicable provisions of this Ordinance, other County Ordinances, and Idaho Code. Goal 1.2: A balance of urban and rural amenities to attract families. Goal 2.2: Development that fosters economic growth while maintaining the rural character of the county. Strategy 2.2.4: Allow rural developments to offer a mix of lot sizes to support people with diverse incomes, uses, and needs. Goal 3.3: A rural atmosphere with a variety of housing and commercial development opportunities.

The land is currently zoned Residential Rural (RR). Under the Residential Rural zoning district, a maximum density of one dwelling per 2.5 acres with an open space subdivision is permitted. This proposal meets the allowable density.

2. The proposed roads and bridges are designed and constructed according to Section 402 of the Subdivision Ordinance. A design deviation was not requested and was not granted to equal or exceed these standards for its purpose. The proposed access will be a private easement and will be designed to the driveway requirements outlined in Bannock County ordinances.
3. The proposed partitioning of land does not prohibit the extension of dedicated streets or roads. Lots are accessed from a private drive and the approach connects to a county road.
4. The proposed partitioning will not conflict with legally established easements or access within or adjacent to the proposed land partition. Based on condition 2, the existing easements have been addressed and will be reflected on the plat.
5. The blocks of lots are located and laid out to properly relate to adjoining or nearby lot or parcel lines, utilities, streets, or other existing or planned facilities. All lots and blocks are placed along a county road and conform to parcels in the vicinity. Lots are in compliance with residential density and relate to surrounding properties. The lots also preserve the existing floodway within the open space.
6. The proposed property is physically suitable for the type and proposed density of development and does conform to existing zone standards. Lots are in compliance with residential density and relate to surrounding properties. The land is currently zoned Residential Rural (RR). Under the Residential Rural zoning district, a maximum density of one dwelling per 2.5 acres with an open space subdivision is permitted. This proposal meets the allowable density.

Ulrich, based on the record and the discussion this evening, I move to approve the request for the Shaw Hollow Estates Concept Plan as described in the application materials as supplemented with additional information attached in the staff report and according to testimony received, and to adopt the proposed findings and order for signature by the Chair or Vice-Chair.

#### CONDITIONS

1. All subsequent plats shall state “All lots shall access directly from the 60’ interior access easement and are restricted from direct access off of Rapid Creek Road.”
2. The applicant will work with the neighbors to establish an irrigation easement. The irrigation easement shall be depicted on all subsequent plats.
3. 50% of slopes over 30% grade shall be designated open space. All slopes 35% or greater are required to be depicted within the open space lot on all subsequent plats. A slope analysis is required to prove slopes are less than 30% if open space is not adjusted on Preliminary Plat.
4. All existing and proposed easements shall be depicted on all subsequent plats.
5. Detailed Base Flood Elevation Study provided at Preliminary Plat. All subsequent plats shall depict data from said study.
6. All subsequent plats shall state “Open Space shall not be used for open storage or for collection of refuse, junk or garbage.”
7. 30’ access easement with 15’ public utility easements on each side.
8. Remove road name. Proposed road to be classified as a driveway.

Selleneit seconds.

Roll call. Ward – yes. Selleneit – yes. Dimick – yes. Madsen – yes. Ulrich – yes.

Motion approved 5-0.

#### **8. CONDITIONAL USE PERMIT – ACTION ITEM – EVENT VENUE:**

Randy Wheatley petitions for a conditional use permit for an event venue on approximately 10.12 acres. The affected property is known as parcel RPR4265025310 and is currently unaddressed. Proposed hours of operation are 6:00 a.m. to Midnight, seven days a week.

Randy Wheatley, 8753 South Robin Road, McCammon, ID. Made some changes in ranching operation. Chose to take a barn over 100 years old and modify it from its previous use as a livestock facility. Renovated for family functions. Raise cattle and performance horses. Use facility for clients and customers that purchase livestock. Several ranch employees live there. Property that surrounds is agricultural use. Raise hay, grains, and graze livestock. Discussed

access and alternate route. Request able to use for other ancillary purposes outside of immediate business.

Selleneit, "I saw a letter from DEQ about the septic and water. Has that been addressed or resolved with them?"

Randy Wheatley, "It meets all state guidelines. If it were to be used more for venue versus our family. Those standards were met in the application."

Dimick, "Will the venue be staffed during large events?"

Randy Wheatley, "We have had two (2) events that were weddings and men's event, kind of a support group. Did not have staff members."

Council discussed conditions and barn use.

#### STAFF

Annie Hughes, Zoning Planning, "Do you have any questions regarding the staff report?"

Ward, asked question regarding Condition No. 15. Removed Condition No. 15 - Applicant shall maintain liability insurance for all events.

#### PUBLIC TESTIMONY

Public testimony in favor: None.

Public testimony neutral: None.

Public testimony opposed: None.

#### FINDINGS

1. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district. Permitted uses include kennels, golf courses, greenhouses, and hog farms. This event center would not adversely affect surrounding properties greater than these listed uses. The site improvements are also consistent with the agricultural setting.

2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use. There will be an increase in traffic but not an undue disruption of travel. The property is in close proximity of I-15 and traffic would not increase any more than seasonal agricultural traffic.
3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity. Based on condition 10, the venue must comply with all applicable Health District or DEQ requirements for wastewater, septic, and restrooms. Additionally, there were no public comments in opposition to this proposal.
4. The proposed use would be consistent with the goals and policies of the Comprehensive Plan of the county. Goal 1.2 A balance of urban and rural amenities to attract families. Goal 3.3 A rural atmosphere with a variety of housing and commercial development. Goal 4.2 Expanded recreational opportunities.
5. The proposed use would be designed to be as compatible in terms of building height, bulk, scale, setbacks, open spaces, and landscaping with adjacent uses as is practical. It is an existing building and complies with all requirements for building codes and setbacks.

Madsen, based on the record and the discussion this evening, I move to approve the request by Randy Wheatley for a Conditional Use Permit, as described in the application materials as supplemented with additional information attached in the staff report and according to testimony received, and to adopt the proposed findings and order for signature by the Chair or Vice-Chair.

#### CONDITIONS

1. Hours of operation shall be from 6:00 a.m. to Midnight, 7 days per week.
2. If alcohol will be served or sold, the venue must obtain an alcohol or catering permit from the appropriate agencies.
3. Use shall conform to the approved site plan.
4. Any changes to the site plan or operations must receive approval from Bannock County Planning and Development.
5. Structure used for events shall comply with applicable building, fire, and safety codes.
6. Emergency routes shall remain clear and unobstructed at all times.
7. Noise shall be maintained at levels that do not create a nuisance for surrounding properties.
8. No parking along public roadways is allowed.
9. Access driveway must meet Fire District requirements for width and turning radius.

10. Venue must comply with all applicable Health District or DEQ requirements for wastewater, septic, and restrooms.
11. Lighting shall comply with Bannock County Zoning Ordinance 475.10.
12. All signage must comply with Bannock County sign standards.
13. Dust control measures must be implemented for parking areas, driveways, and event spaces.
14. The venue shall have an emergency plan, including weather, evacuation, and medical response.

Ulrich seconds.

Roll call. Ward – yes. Selleneit – yes. Dimick – yes. Madsen – yes. Ulrich – yes.

Motion approved 5-0.

**9. SUBDIVISION CONCEPT PLAN – DEER VALLEY RESERVE & DEER VALLEY RESERVE DIVISION 2 – ACTION ITEM:**

Pursuant to Section 302 of the Bannock County Subdivision Ordinance, Matt Baker proposes to replat Deer Valley Reserve and Deer Valley Reserve Division 2, combining the two (2) adjoining subdivisions into one subdivision from 15 lots down to 11 lots. The subject properties are parcels RPRRDVR000100, RPRRDVR000200, RPRRDVR000300, and RPRRDVR000400 located off of W. Bighorn Drive. RPRRDVR000500, RPRRDVR000600, and RPRRDVR000700 located off of N. Elk Road. RPRRDV2000800 located off of W. Autumn Lane. RPRRDV2000100, RPRRDV2000200, RPRRDV2000300, RPRRDV2000400, RPRRDV2000500, RPRRDV2000600, and RPRRDV2000700 located off of Deer Reserve Drive. The development proposes individual well and septic systems.

Matt Baker, Sunrise Engineering, 600 E. Oak Street, Pocatello, ID. Development proposes individual well and septic systems. Present on behalf of Mr. and Mrs. Gebo, they are the owners of this property. Deer Valley Reserve and Deer Valley Reserve Division 2 were plats recorded previously in 2020. Each one had six (6) development lots in which they could be built on. Clients requested that we downsize so each subdivision will have four (4) lots instead of six (6) previously plotted. Open space remains pretty much the same. In Division 1, open space was altered just a little bit to realign the lots, but the acreage remains the same. The easement in Deer Valley Division 2 for power and amenities was not depicted on the original plot, but has been put on there now in its correct position per the document recorded. Another easement that was not depicted on the Deer Valley Reserve Division 1 was a bench easement that is also depicted in this document. Another easement that staff recommended was an easement for the fire suppression tank and that has been added.

## STAFF

Alisse Foster, Subdivision Planner, “You have had the packet in front of you. Upon a site visit, it was questioned if Block 1, Lot 4 could be a buildable lot without a variance. That is the reason we have asked council to review if a building footprint would be required on that one to confirm it is a buildable lot, that there is a building site on that lot. There is on the original platted subdivision, several septic drain-filled locations. In re-platting, this subdivision, those will be removed and Southeast Idaho Health will determine where septic’s are needed at the time of building.

## PUBLIC TESTIMONY

### Public testimony in favor:

Emma Gebo, 311 Spoon Drive, Pocatello, ID. Discussed why reducing number of lots. There will be eight (8) lots that vary from 2.51 acres up to 4.67 acres.

### Public testimony neutral:

None.

### Public testimony opposed:

Efrain & Teresa Velasquez, 9059 W. Cinnamon Ridge, Pocatello, ID  
Matthew Fox, 2179 N. Mink Creek Road, Pocatello, ID  
Jameson Root, 9167 W. Cinnamon Ridge, Pocatello, ID  
Christine Richards, 9344 Autumn Lane, Pocatello, ID  
Jim Shaw, 2072 N. Mink Creek, Pocatello, ID  
Mark Kriner, 9032 W. Autumn Ln., Pocatello, ID  
Kenneth Covert, 9344 W. Autumn Ln., Pocatello, ID

Public concerned about water and wells in subdivision.

Ulrich, “The only thing we can deliberate on is an easement for the water district. We can’t deny this because of water or sewer, but we can build conditions that they can’t move forward unless they worked with the water.”

Council discussed conditions.

## FINDINGS

1. The proposed tentative plan is in conformance with the Bannock County Comprehensive Plan; is in conformance with applicable provisions of this Ordinance, other County Ordinances, and Idaho Code. Goal 1.2: A balance of urban and rural amenities to attract families. Goal 2.2: Development that fosters economic growth while maintaining the rural character of the county. Strategy 2.2.4: Allow rural developments to offer a mix of lot sizes to support people with diverse incomes, uses, and needs. Strategy 2.2.5: Continue to ensure that developments, rezones, and land uses align with the Future Land Use Map and its associated characteristics and descriptions as illustrated in Figure 7. Goal 3.3: A rural atmosphere with a variety of housing and commercial development opportunities. Strategy 3.3.1: Manage density requirements where growth opportunities exist while considering the desire for open space.

The land is currently zoned Residential Rural. Under the Residential Rural zoning district, a maximum density of one dwelling to 2.5 acres with an open space subdivision is permitted. The proposal meets the density requirements outlined in this zone. This is a replat of an existing subdivision that met the ordinances at the time and will continue to meet all requirements.

2. The proposed roads and bridges are designed and constructed according to Section 402 of the Subdivision Ordinance. A design deviation was requested and was granted to equal or exceed these standards for its purpose. The road is existing and was built to county standards at the time of the original development. Design deviations are to allow access to lots that are not from interior subdivision roads, but existing public roads within adjacent subdivisions, and to allow more than an average of 100' of interior road per lot frontage.
3. The proposed partitioning of land does not prohibit the extension of dedicated streets or roads. The road is existing, was built to county standards at the time of the original development, and does not prohibit extension.
4. The proposed partitioning will not conflict with legally established easements or access within or adjacent to the proposed land partition. Based on condition 3, all existing and proposed easements shall be depicted on all subsequent plats.
5. The blocks of lots are located and laid out to properly relate to adjoining or nearby lot or parcel lines, utilities, streets, or other existing or planned facilities. The proposed plat will not adjust the blocks of the original subdivision and depicts a decrease in the number of building lots. There is no proposed reduction to the existing open space within the

subdivision. The proposed lots are located in close proximity to existing roads, subdivisions, and utilities.

6. The proposed property is physically suitable for the type and proposed density of development and does conform to existing zone standards. The proposed density of development not only meet but exceeds the standards outlined in the Residential Rural zoning district. Under the Residential Rural zoning district, a maximum density of one dwelling to 2.5 acres with an open space subdivision is permitted. The proposal outlines an average density of 7.796 acres per dwelling unit.

Selleneit, based on the record and the discussion this evening, I move to approve the request for the Replat of Deer Valley Reserve and Deer Valley Reserve – Division 2 Subdivision Concept Plan as described in the application materials as supplemented with additional information attached in the staff report and according to testimony received, and to adopt the proposed findings and order for signature by the Chair or Vice-Chair.

#### CONDITIONS

1. Deer Reserve Drive is to be dedicated as open space and noted as such on all subsequent plats.
2. Provide written comment from South East Idaho Public Health approving septic restrictions to be lifted.
3. All existing and proposed easements shall be depicted on all subsequent plats.
4. All subsequent plats shall state "Open Space shall not be used for open storage or for collection of refuse, junk or garbage."
5. Subsequent plats shall depict a provided stormwater easement or drainage right-of-way conforming substantially with the lines of such water course per Subdivision Ordinance §405.A.
6. Proof of legal 60' access from Autumn Lane to be provided at Preliminary Plat and reference said instrument number on the all subsequent plats.
7. Preliminary plat shall depict a building footprint for lot 4, block 1 that meets the requirements of the ordinances.
8. All subsequent plats shall state, "Lot 5 and lot 6 of block 1 and lot 1 of block 2 are to be retained as community open space and dedicated to the Deer Valley Reserve Home Owner's Association."

Ulrich seconds.

Roll call. Ward – no. Selleneit – yes. Dimick – yes. Madsen – yes. Ulrich – yes.

Motion approved 4-1.

Ulrich, made motion to close public hearing. Selleneit seconds. All in favor.

#### **10. PRELIMINARY PLAT – TOM’S HOLLOW SUBDIVISION:**

Stewart Ward proposes an amendment to Coyote Hollow Subdivision for the purpose of adjusting a lot line. The existing lots are 5.00 acres with 2.33 acres of open space and 5.16 acres with 1.91 acres of open space. After the proposed adjustment, the lots will be 6.10 acres with 2.34 acres of open space and 4.05 acres with 1.91 acres of open space. The development proposes individual well and septic systems. This subdivision is located ~ 1.19 miles from the City of Inkom boundary.

Stewart Ward, Dioptra, 4880 Clover Dell Road, Pocatello, ID. Representing Tom Nelson Homes who is the owner and applicant. This is the preliminary plat for Tom’s Hollow, which is a replat of Lots 3 & 4. Block 1 of Coyote Hollow Subdivision. From the concept plan to the preliminary plat, nothing has changed. Changed open space from what original open space was. House being built on Lot 4A.”

#### **STAFF**

Alisse Foster, Subdivision Planner, “Stewart is correct. The structure we are referring to is the one that is currently being built. It is very close to the edge of open space. So just verify it is outside. Just adding that the open space may not be stored for refuge, junk or garbage. Everything else seems to be in accordance.”

#### **PUBLIC TESTIMONY**

Public testimony in favor: None.

Public testimony neutral: None.

Public testimony opposed: None.

#### **FINDINGS**

1. The preliminary plat is in conformance with the Bannock County Planning and Development Council’s approved Concept Plan, all applicable provisions of the Bannock County Subdivision Ordinance, other County Codes and Ordinances, and Idaho Code. The land is currently zoned Residential Rural and is located within the existing platted subdivision, Coyote Hollow Subdivision. The proposal is to adjust the lot line to the west

of proposed 4A. Since these lots were created under a previous ordinance interpretation and no new lots are being created, ordinance standards have been met.

2. The street plan for the proposed subdivision will permit its development in accordance with the Bannock County Subdivision Ordinance. This is an existing subdivision and the street plan has not been altered from original plat.
3. The street plan for the proposed subdivision will permit the development of adjoining land by providing access to that land by right of way dedicated to the County, or a developed street to the property boundary. This is an existing subdivision and the street plan has not been altered from original plat.
4. Lot lines and roads do relate to land shapes and existing development. This is a lot line adjustment in an existing subdivision and all lots relate to land shape.

Dimick, based on the record and the discussion this evening, I move to approve the request for the preliminary plat of Tom’s Hollow Subdivision, as described in the application materials as supplemented with additional information attached in the staff report and to adopt the proposed findings and order for signature by the Chair or Vice-Chair.

#### CONDITIONS

1. All structures shall be verified to be outside of the open space at final plat. Open space may be adjusted with staff approval, but not decreased, at final plat if structure is found to be within the open space.
2. All subsequent plats shall state “Open Space shall not be used for open storage or for collection of refuse, junk or garbage.”

Madsen seconds.

Roll call. Selleneit – yes. Dimick – yes. Madsen – yes. Ulrich – yes.

Motion approved 4-0.

#### **11. ITEMS OF INTEREST:**

Tristan Bourquin, Assistant Planning Director, discussed upcoming hearing items for March 18, 2026. Conditional use permit for a dumpster rental service and a preliminary plat for Deeter Ridge Estates. Update on recommendations from the commission and timeline for ordinance rewrite for the new land use and development ordinance.

**12. CITIZEN COMMENTS:**

None.

**13. WORK SESSION:**

None.

**14. MEETING ADJOURNED**

The public meeting was held in Conference Room 1, Office of Planning and Development Services, 5500 S. 5th Avenue, Pocatello, ID 83204.

**BANNOCK COUNTY PLANNING AND DEVELOPMENT COUNCIL**

**DRAFT** MEETING MINUTES | February 18, 2026

**BANNOCK COUNTY STAFF PRESENT:** Hal Jensen, Planning Director, Tristan Bourquin, Assistant Planning Director, Alisse Foster, Subdivision Planner, and Annie Hughes Williams, Zoning Planning.

Selleneit calls the meeting to order at 5:15 p.m.

**1. ROLL CALL AND DISCLOSURE OF CONFLICTS OF INTEREST:**

Present Council Members: Chad Selleneit, Ed Ulrich, Molly Dimick, and Krystal Madsen.

**2. PRELIMINARY BUSINESS AGENDA CLARIFICATION AND APPROVAL:**

Hal Jensen, Planning Director, no agenda clarification. Recommend approving agenda as outlined.

Dimick makes motion to approve agenda as written. Ulrich seconds. All in favor.

**3. APPROVAL OF MINUTES:**

None.

**PUBLIC HEARING:**

Ulrich makes motion to open public hearing. Dimick seconds. All in favor.

**4. CONDITIONAL USE PERMIT – ACTION ITEM – DUMPSTER RENTAL SERVICE:**

David Demain petitions for a conditional use permit for a dumpster rental service on approximately 5.00 acres. The affected property is known as parcel RPR4227024616 and is currently addressed as 11267 S. Moose Hollow Road, Lava Hot Springs, ID 83246. At the hearing, Council shall evaluate the proposed use against criteria established in §530 of the Zoning Ordinance. Type of action: Decision.

David Demain, 11267 S. Moose Hollow Road, Lava Hot Springs, ID. Here for a conditional use permit for a part-time seasonal business to rent dumpsters and some tractor work. Have five (5) dumpsters with roll-off truck. Will not be storing dumpsters full. The trucks, all vehicles, and equipment will be inside a building. Always try to clean bins and bring them back empty and clean. Doing seasonal part-time because of road conditions. Trucks are slightly larger than a pickup truck. Our trucks with the dumpster on them are empty, 15,000 pounds. Single axle. We are not going up and down the roads with our trucks. Only have five (5) dumpsters and rent them

between 7 and 10 days. We pick them up and dump them. If we don't have a place to take them, another rental, they come home. It would only add 10 or 15 trips a month to what we normally do as homeowners once a week. Hours of operation are during the day and not at night. There will be no clients coming in and would not generate extra traffic. Try to keep the noise to a minimum. Try to keep property neat and clean. In the winter time, we have no interest in running, once the roads start getting mushy.

Selleneit, "I just wanted you to kind of define seasonal. Is that just as weather, like this year has been an unusual year so you might have had some other traffic verses other years? No set dates."

David Demain, "So up there, the main road coming off is paved up to the crossroads, semi-paved. Once you get to our place or where our property boundaries are, the roads get really soft. Once that happens, I have no interest in running trucks up and down that road."

Selleneit, "So as far as your dumpster rental, are people tearing roofs off and they rip their roof off and fill it up? Are they remodeling or is there long-term kind of commitments for people?"

David Demain, "Our primary is remodeled jobs. Occasionally, we use a small excavator and clean up somebody's property and put stuff in the dumpster and haul it off for them."

Dimick, "With the garage, will you plan to keep the trucks and dumpsters? Is that visible in this imagery here?"

David Demain, "That's an old one. In place of where there is two of them right there, we tore that one down this summer and replaced it with a 52x60. We try to keep everything in there that we can. It is a cement floor and gravel around the whole backside.

#### STAFF

Annie Hughes, Zoning Planner, "Do you have any questions regarding the staff report?"

No questions.

#### PUBLIC TESTIMONY

Public testimony in favor:

RaeAnn Demain, 11267 S. Moose Hollow Road, Lava Hot Springs, ID

Tom Barnes, 21175 Moose Hollow Road, Lava Hot Springs, ID

Richard & Kymberly Lish, 9104 Victory View Road, Lava Hot Springs, ID

Buck Walker, Lava Hot Springs, ID

Cami Moss

Public testimony neutral:

None.

Public testimony opposed:

Kenneth R. Krivanek, 8842 Victory View Road, Lava Hot Springs, ID  
Gary Ross, Lava Hot Springs, ID

REBUTTAL

David Demain, “We don’t plan on bringing stinky, dirty dumpsters or equipment home dirty and will not affect groundwater. We have never had any issues. We do not plan on bringing other people’s garbage there.”

Selleneit, “I think you stated before, you are not in an HOA right?”

David Demain, “We are not part of the HOA.”

Ulrich, “Just for clarification, the barn that David has put up, it meets all setbacks and requirements for the county when they put it up, correct?” So, the insinuation that these things are going to be violating setbacks and everything else is false.”

Staff, “Correct.”

Council discussed staff recommendations.

FINDINGS

1. The proposed use would not adversely affect surrounding properties to a materially greater extent than would a permitted use in the district. Compared to other permitted uses in the Recreation district, such as public service facilities, golf course, etc. are all permitted uses in this zone.
2. The proposed use would not cause an undue disruption of travel or an extraordinary increase in the volume of traffic in the vicinity of the proposed use. The applicant stated there will be 2 trucks, 5 dumpsters, and it will equate to approximately an additional half trip per day.

3. The proposed use would not damage the public health, safety, or general welfare within its vicinity, or be materially injurious to properties or improvements in the vicinity. As stated by the applicant there will be no full or dirty dumpsters on site. They will be clean and empty.
4. The proposed use would be consistent with the goals and policies of the Comprehensive Plan of the county. It's encouraging Goal 3.2 A strong and diverse economy, and Strategy 3.2.3 which states support the development of economic incentives for business expansion and growth.
5. The proposed use would be designed to be as compatible in terms of building height, bulk, scale, setbacks, open spaces, and landscaping with adjacent uses as is practical. The applicant stated the trucks will be stored indoor and staging areas will not be visible from adjacent property based on conditions.

Madsen, based on the record and the discussion this evening, I move to approve the request by David C. Demain for a Conditional Use for a dumpster rental service on his property, as described in the application materials as supplemented with additional information attached in the staff report and according to testimony received, and to adopt the proposed findings and order for signature by the Chair or Vice-Chair.

#### CONDITIONS

1. The applicant shall comply with all applicable federal, state, and local regulations, including Bannock County Code, Idaho Department of Environmental Quality (IDEQ) requirements, and health and safety standards.
2. The applicant shall implement measures to control dust, odors, and litter. All waste shall be secured during transport to prevent spillage.
3. Any storage or staging areas visible from adjacent properties shall be screened with fencing, landscaping or other approved visual buffers.
4. The applicant shall not accept or transport hazardous waste unless properly licensed and approved by IDEQ.
5. All collected waste shall be disposed of at the Bannock County Landfill.
6. All service vehicles shall be maintained in safe, operable condition.
7. The operation shall not create a nuisance related to noise, odor, traffic, or visual impacts.
8. Waste collection, dumpster delivery, and pickup activities shall be limited to the hours of 8:00 a.m. to 7:00 p.m., Monday through Friday.
9. Empty and full dumpsters shall be stored only in designated areas as shown on the site plan. Dumpsters shall not be stored in public rights-of-way without proper authorization.
10. No signage.
11. Clean dumpsters off site.

Dimick seconds.

Roll call. Selleneit – yes. Dimick – yes. Madsen – yes. Ulrich – yes.

Motion approved 4-0.

Dimick makes motion to close public hearing. Madsen seconds.

## **5. PRELIMINARY PLAT – DEETER RIDGE ESTATES:**

Stewart Ward proposes development for ten (10) residential lots and one (1) open space lot. The subject properties are parcels RPR3803029310, RPR3803029309, and RPR3803029311. The affected lots total 23.21 acres generally located off of 2 ½ Mile Road, a county-maintained road. The development proposes individual well and septic systems. There will be 10 buildable lots between 1.01 and 1.08 acres in size. This subdivision is located ~ 0.49 miles from the City of Chubbuck boundary (ACTION ITEM).

### STAFF

Alisse Foster, Subdivision Planner, “Based on the updates that they have done, the only concern that we really saw was making sure the mailboxes are not in the open space lot. They did do the studies that were requested. They did attach the CC&R’s, the base flood elevation study that FEMA requires. They have done their research as far as irrigations rights and what they can do to secure those. Their construction plans will need to include some of those details as far as how those irrigation lines will all need to be installed.”

Staff and council discussed CC&R’s.

Ulrich, “Is there any action we need to take on it in recommendations or anything?”

Alisse Foster, “Just knowing that it is being vacated through this plotting process is the only action that you need to be aware of.”

Dimick, “What is the easement for?”

Alisse Foster, “It is an access easement. This entire piece went through a minor land division and they created that access easement when they did it. This developer has purchased a majority of this land and so that access easement is no longer necessary.”

Ulrich, "Was that for the irrigation?"

Alisse Foster, "The irrigation easements will be staying. It is just the access easement."

Dimick, "Basically, the nitrate study confirms that the density is appropriate."

## FINDINGS

1. The preliminary plat is in conformance with the Bannock County Planning and Development Council's approved Concept Plan, all applicable provisions of the Bannock County Subdivision Ordinance, other County Codes and Ordinances, and Idaho Code. As shown in the Staff Report and on the current plat. All concept conditions have been met per staff review.
2. The street plan for the proposed subdivision will permit its development in accordance with the Bannock County Subdivision Ordinance. Subdivision road meets all Road & Bridge standards for the development and has not changed since concept plan.
3. The street plan for the proposed subdivision will permit the development of adjoining land by providing access to that land by right of way dedicated to the County, or a developed street to the property boundary. Due to the land shape and configuration it conforms to all county standards.
4. Lot lines and roads do relate to land shapes and existing development. An open space lot has been created to relate to land contours. All lots are configured in relation to the road.

Dimick, based on the record and the discussion this evening, I move to approve the request for the preliminary plat of Deeter Ridge Estates, as described in the application materials as supplemented with additional information attached in the staff report and to adopt the proposed findings and order for signature by the Chair or Vice-Chair.

## CONDITIONS

1. All subsequent plats shall state "Open Space shall not be used for open storage or for collection of refuse, junk or garbage."
2. All subsequent plats shall state "Open Space, Block 1, Lot 11, is a separate lot and is restricted from further development but may be farmed, grazed, or timbered."

3. All subsequent plats shall state “The plat is currently located within the Multiple Use Zoning District and shall be re-designated to the Residential Suburban Zoning District per Bannock County Zoning Ordinance 1998-1, §356 and instrument number 22403372.”
4. Mailbox location to be moved outside of the open space lot.
5. CC&Rs shall address maintenance of all common area, to include cost.

Madsen seconds.

Roll call. Selleneit – yes. Dimick – yes. Madsen – yes. Ulrich – yes.

Motion approved 4-0.

## **6. ITEMS OF INTEREST:**

Tristan Bourquin, Assistant Planning Director, do not believe we have any recommendations that have gone to commissioners yet from council. We do have the future land use map and rezone that you heard in January that will be heard on March 10, 2026. For upcoming business and hearing items, we have riparian area setback variance, concept for Westfield Estates Division 7, a conditional use permit for a personal airstrip, and a variance for rear setbacks. We do also tentatively have the work session for the Land Use and Development Ordinance. That is dependent upon legal review and whether counsel will have enough time to review the draft to have it ready and available for that meeting.

## **7. CITIZEN COMMENTS:**

None.

## **8. WORK SESSION:**

None.

## **9. MEETING ADJOURNED**

The public meeting was held in Conference Room 1, Office of Planning and Development Services, 5500 S. 5th Avenue, Pocatello, ID 83204.

# PUBLIC HEARING ITEMS

AGENDA ITEM NO. 4  
Variance – Krystal Chanda



# PLANNING AND DEVELOPMENT SERVICES

5500 S 5<sup>th</sup> Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.gov

## VARIANCE PERMIT PUBLIC HEARING: MARCH 18, 2026 STAFF REPORT

**FILE #:** VAR-26-1  
**LOCATION:** RPR4225001107 and is currently unaddressed

APPLICANT:	OWNER:
Krystal Chanda P.O. Box 1327 Pocatello, ID 83204	Joshua J. Burkman 2888 Silverwood Pl. Pocatello, ID 83201

**RECOMMENDATION:** Bannock County Planning and Development recommends the following:

- Denial, or;
- Approval with the following conditions:
  1. The dwelling and retaining wall shall be located no closer than 30' from the top of the creek bank.
  2. The area between the structure and the creek shall remain in a natural vegetated state. No removal of existing native vegetation within the 30' setback will be allowed.
  3. The property owner shall implement permanent stormwater management measures (such as swales, infiltration areas, or similar improvements) to ensure that runoff from the residence does not discharge directly into the creek or cause erosion.
  4. This variance applies only to the dwelling and retaining wall. No additional structures, fill, or grading shall occur within the riparian setback without separate approval.
  5. The applicant shall obtain all necessary permits from Idaho Department of Water Resources, Army Corps of Engineers, and Idaho Department of Lands prior to the issuance of any building permits.
  6. The retaining wall shall be engineered and constructed to prevent erosion, bank destabilization, or redirection of creek flows.

**REQUEST & BACKGROUND:** Krystal Chanda requests a variance for a riparian area setback from 100' to 30' to build a single-family residence and retaining wall.

STAFF REPORT  
VARIANCE - CHANDA  
Page 1 of 7

**SITE CHARACTERISTICS AND ZONING:**

ZONING: Residential Rural

PROPERTY SIZE: ~ 80.46 acres

VIEWS: The property is visible from Harkness Canyon Road

EXISTING STRUCTURES: Residential accessory structures

AREA OF CITY IMPACT: No

**SURROUNDING LAND USES AND ZONING**

NORTH: Bare ground; Residential Rural

EAST: Bare ground with some residential; Residential Rural, BLM & Agricultural

SOUTH: Bare ground; Residential Rural & Multiple Use

WEST: Bare ground with some residential; Residential Rural

**APPLICABLE LAWS AND PLANS:**

1. Idaho Code §67-6516, Variance – Definition – Application – Notice – Hearing
2. Bannock County Comprehensive Plan, 2025-27
3. Bannock County Zoning Ordinance, 1998-1, specifically:
  - a. §320 RESIDENTIAL RURAL DISTRICT
  - b. §327 BUILDING BULK AND PLACEMENT STANDARDS
  - c. §540 VARIANCES

**STANDARDS FOR GRANTING A VARIANCE (ZONING ORDINANCE §540.4)**

The Planning and Development Council may grant a variance if it makes affirmative findings on each of the following standards:

**A. The applicant has shown that there is no reasonable alternative.**

Staff Findings of Fact

The applicant states that the subject parcel contains significant topographical constraints that limit feasible building locations outside the required setback. Slopes increase rapidly from north to south, with the only reasonably buildable area located approximately 30 feet from the edge of Harkness Creek where the slope is about 8%. At 100 feet from the creek, slopes increase to approximately 28%, and along the southern property line they reach up to 60%. Constructing a residence outside the setback would require extensive grading, excavation, and slope stabilization, which would be impractical, environmentally disruptive, and potentially unsafe. As a result, there is no reasonable alternative location on the parcel that would allow construction while meeting standard engineering, safety, and building requirements.

Staff finds that the property does contain unique physical characteristics, including steep and rapidly increasing slopes. Placing the structure 100' from the riparian area would place the structure in areas sloped greater than 15%, which will add restrictions to development opportunities according to Zoning Ordinance §490.B.2.

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

Staff Findings of Fact

The applicant states that granting the variance will not conflict with the public interest because locating the residence closer to the creek reduces the need for significant grading on the steeper portions of the site, which helps minimize erosion, visual impacts, and potential downstream sedimentation. The project will comply with all applicable building codes, stormwater management requirements, floodplain regulations, and any necessary mitigation measures to protect water quality and riparian resources.

Staff finds that potential impacts associated with the reduced setback may be mitigated through conditions of approval, including erosion control measures, engineered design of the retaining wall, preservation of remaining riparian vegetation, and compliance with applicable agencies when working near waterways.

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

Staff Findings of Fact

The applicant states that the proposed residence is compatible with the surrounding area, will not harm neighboring properties, and will maintain proper setbacks, access, drainage, and property values through standard construction practices.

Staff finds that the proposal meets the requirements of the Residential Rural zoning district and is compatible with the surrounding area. The potential impacts associated with the reduced setback may be mitigated through conditions of approval, including erosion control measures, engineered design of the retaining wall, preservation of remaining riparian vegetation, and compliance with applicable agencies when working near waterways.

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

Staff Findings

The applicant states that denying the variance would cause undue hardship due to the parcel's steep slopes, which prevent reasonable residential use. This hardship is specific to the property's topography and not self-created, making strict setback enforcement unreasonable.

Staff finds that strict adherence to the setback standard would significantly limit the applicant's ability to reasonably develop the property for residential use due to the steep slopes present across much of the parcel. Based on the topography constraints described in the application, reducing the setback from 100' to 30' places the structure in the only reasonably buildable portion of the parcel.

**AGENCY COMMENTS:**

- 1. None at time of report

**PUBLIC COMMENTS:**

- 2. None at time of report

**EXAMPLE MOTIONS**

**APPROVAL (WITH CONDITIONS):**

Having reviewed the application, staff report, and all testimony presented tonight as part of the record, and based on the criteria for a variance, and having found that those criteria for approval are satisfied, I move to approve Krystal Chanda's variance request, as described in the application and staff report, with the following conditions:

- 1. ....
- 2. ....

**APPROVAL (NO CONDITIONS):**

Having reviewed the application, staff report, and all testimony presented tonight as part of the record, and based on the criteria for a variance, and having found that those criteria for approval are satisfied, I move to approve Krystal Chanda's variance request, as described in the application and staff report.

**DENIAL:**

Having reviewed the application, staff report, and all testimony presented tonight as part of the record, and based on the criteria for a variance, and having found that those criteria for approval are not satisfied, I move to deny Krystal Chanda's variance request, as described in the application and staff report.

I find that the petition fails to comply with... (cite specific standards which are not met and why).

**REPORT BY:**

Annie Hughes Williams, Zoning Planner  
[annieh@bannockcounty.gov](mailto:annieh@bannockcounty.gov)  
208-236-7230

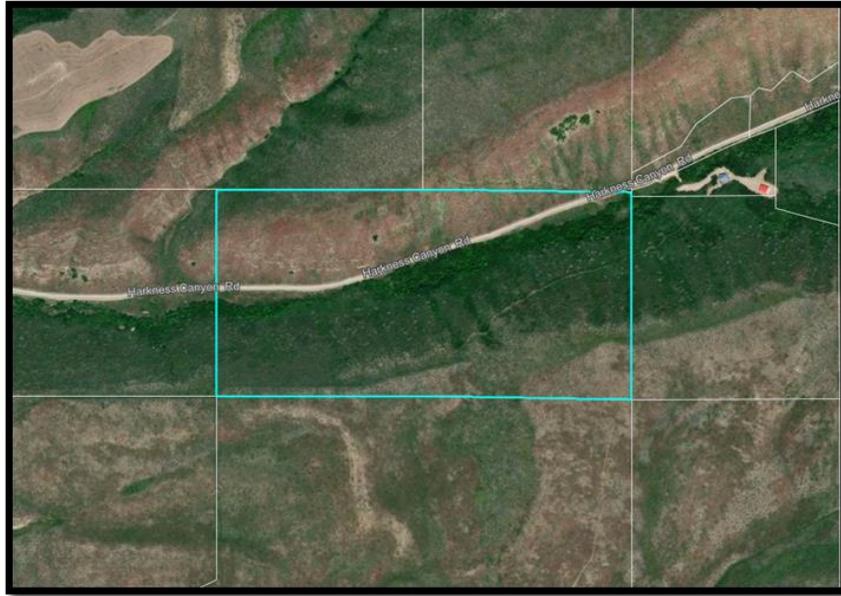
**REPORTED DATE:** March 11, 2026

*\*Staff comments in this report are based solely upon evidence available at the time of the report. Additional information may be brought to light at or before the hearing.*

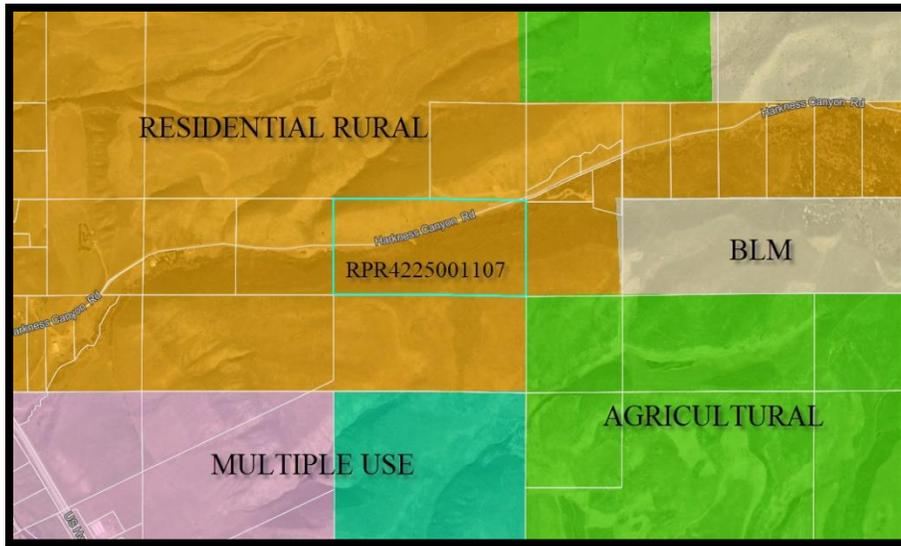
**EXHIBITS:**

1. Application and Site Plan
2. Applicable Laws (on file with Staff)
3. Evidence of Notices (on file with Staff)
4. Agency/Public Comments (if any)

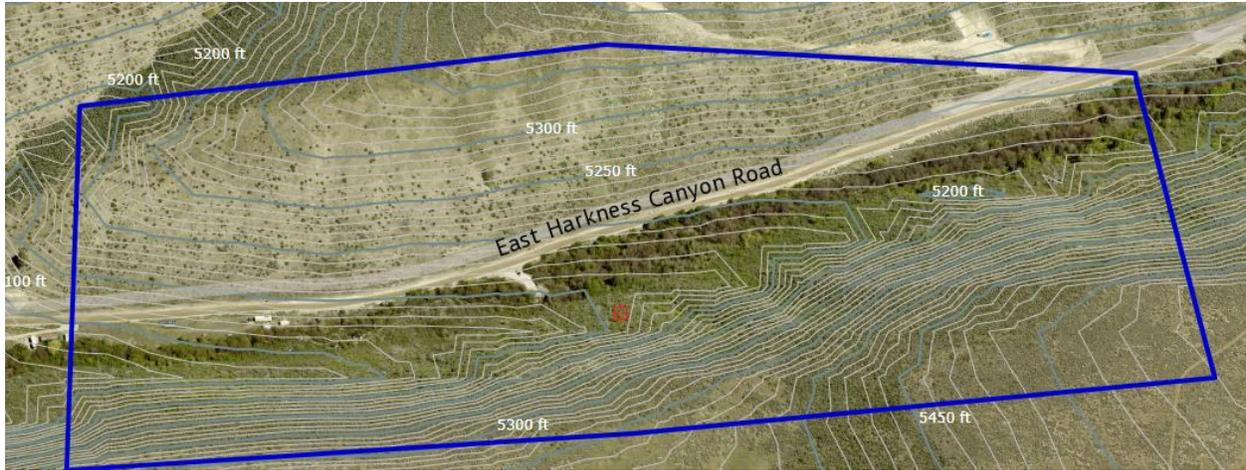
## REFERENCE MAPS



**SITE MAP**



**ZONING MAP**



**CONTOUR MAP**

# EXHIBIT 1

## Application & Site Plan



**Record No: VAR-26-1**

**Primary Location**

**Applicant**

Krystal Chanda

Variance Application

Status: Active

Submitted On: 1/14/2026

### Parcel & Variance Information

**Parcel Number\***

RPR4225001107

**My property is zoned:\***

Residential Rural

What variance are you requesting? Please select all that apply:

**Rear yard setbacks**

**Side yard setbacks**

**Riparian area setbacks**

**Right-of-way setbacks**

**Lot size**

**Other**

**Please describe your variance request in detail:\***

The applicant respectfully requests a variance to allow construction of a single-family residence and retaining wall approximately 30 feet from the ordinary high-water mark of Harkness Creek. This request is based on the unique physical characteristics of the parcel and meets the required findings for approval as outlined below.

---

## Application for Variance

**Narrative addressing how your application meets criterion 1: The applicant has shown there is no reasonable alternative.\***

The subject parcel presents significant topographical constraints that severely limit feasible building locations outside the required setback. The parcel contains significant and rapidly increasing slopes from north to south. At approximately 30 feet from the edge of Harkness Creek, the slope is approximately 8%, which represents the only reasonably buildable area on the site. At 100 feet from the creek, the slope increases to approximately 28%, and along the southern property line slopes reach up to approximately 60%. Constructing a residence outside the setback would require extensive grading, excavation, and slope stabilization, which would be impractical, environmentally disruptive, and potentially unsafe. Due to these conditions, there is no reasonable alternative location on the parcel that would allow construction while meeting standard engineering, safety, and building requirements.

**Narrative addressing how your application meets criterion 2: The variance is not in conflict with the public interest.\***

Granting this variance will not conflict with the public interest. Locating the residence closer to the creek minimizes the need for significant grading on steeper slopes, thereby reducing erosion risk, visual impacts, and potential downstream sedimentation. The project will comply with all applicable building codes, stormwater runoff regulations, floodplain regulations, and any required mitigation measures to protect water quality and riparian resources.

**Narrative addressing how your application meets criterion 3: The variance will not adversely affect adjacent property.\***

The proposed residence will not adversely affect neighboring properties. The development is consistent with the existing character of the area and will not obstruct access, alter drainage patterns, or negatively impact views or property values. Appropriate setbacks from property lines and standard construction practices will be maintained to ensure compatibility with adjacent land uses.

**Narrative addressing how your application meets criterion 4: If the variance is not granted, the applicant will suffer undue hardship caused by the physical characteristics of the site.\***

If the variance is not granted, the applicant will suffer undue hardship directly caused by the unique physical characteristics of the site. The steep slopes across the majority of the parcel effectively prevent reasonable residential use without the requested variance. This hardship is not self-created and is specific to the property's topography, making strict application of the setback requirement unreasonable in this case.

## Certification

**Electronic Signature [Typed name of applicant]\***

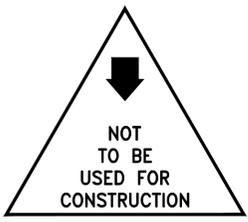
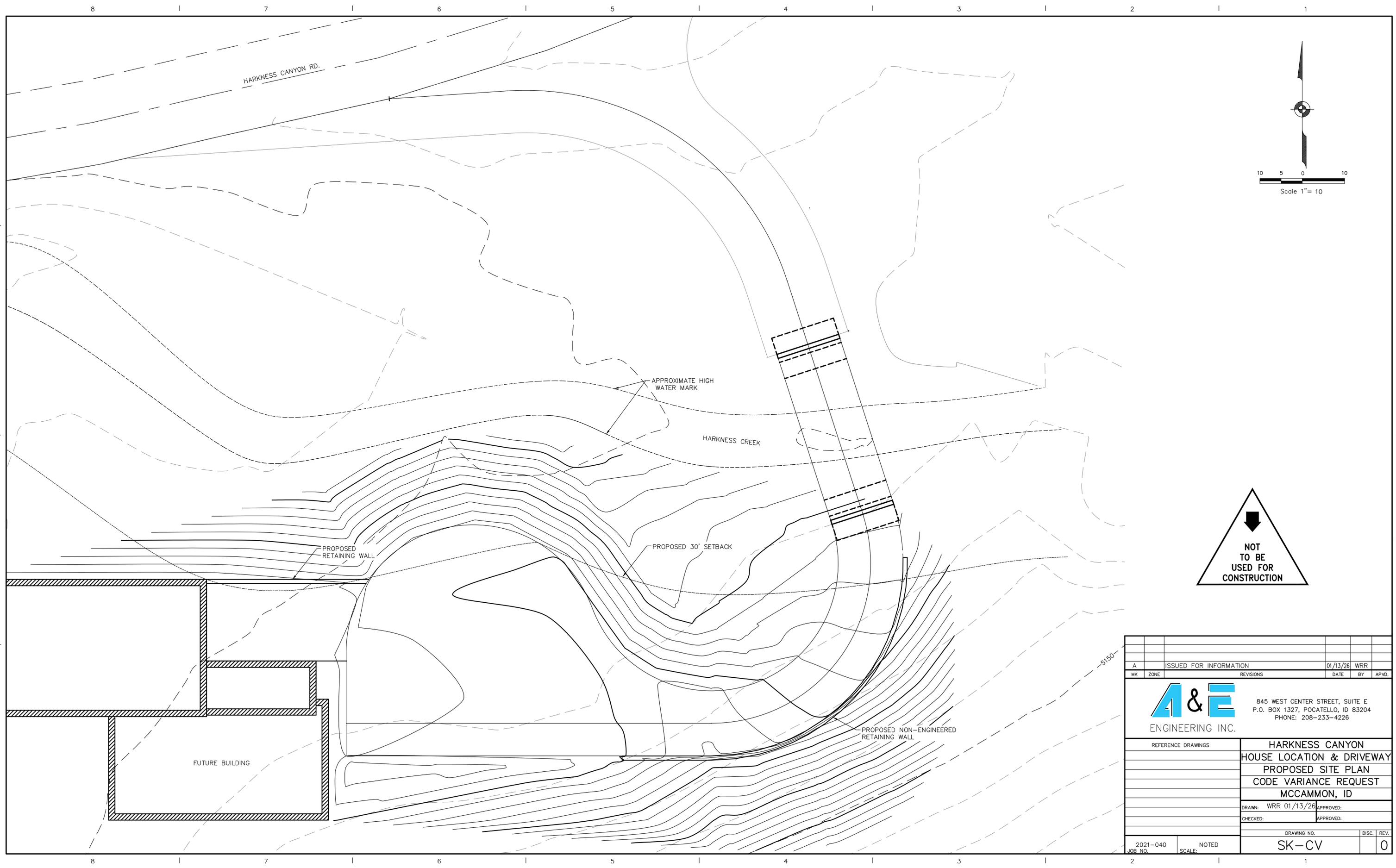
Krystal Chanda

**I agree that my electronic signature above is equivalent to a handwritten signature and is binding for all purposes related to this transaction\***



**Date\***

01/13/2026



A		ISSUED FOR INFORMATION		01/13/26	WRR
MK	ZONE	REVISIONS	DATE	BY	APVD.
		845 WEST CENTER STREET, SUITE E P.O. BOX 1327, POCA TELLO, ID 83204 PHONE: 208-233-4226			
REFERENCE DRAWINGS		HARKNESS CANYON			
		HOUSE LOCATION & DRIVEWAY			
		PROPOSED SITE PLAN			
		CODE VARIANCE REQUEST			
		MCCAMMON, ID			
		DRAWN: WRR 01/13/26		APPROVED:	
		CHECKED:		APPROVED:	
		DRAWING NO.		DISC. REV.	
2021-040		NOTED		SK-CV	
JOB NO.		SCALE:		0	

# FINDINGS

**BANNOCK COUNTY PLANNING & DEVELOPMENT COUNCIL  
FINDINGS AND ORDER**

**VARIANCE PERMIT- KRYSTAL CHANDA  
PUBLIC HEARING: MARCH 18, 2026**

**FILE #:** VAR-26-1  
**LOCATION:** RPR4225001107 and is currently unaddressed

<b>APPLICANT:</b>	<b>OWNER:</b>
Krystal Chanda P.O. Box 1327 Pocatello, ID 83204	Joshua J. Burkman 2888 Silverwood Pl. Pocatello, ID 83201

**REQUEST & BACKGROUND:** Krystal Chanda requests a variance for a riparian area setback from 100' to 30' to build a single-family residence and retaining wall.

**FINDINGS:**

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

**SITE CHARACTERISTICS AND ZONING:**

ZONING: Residential Rural  
PROPERTY SIZE: ~ 80.46 acres  
VIEWS: The property is visible from Harkness Canyon Road  
EXISTING STRUCTURES: Residential accessory structures  
AREA OF CITY IMPACT: No

**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] [is not]** a reasonable alternative.

This is based on:

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

This is based on:

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---

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

This is based on:

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---

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

This is based on:

---

---

---

Conditions:

---

---

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**ORDER: CONCLUSION AND DECISION**

The Planning and Development Council, pursuant to the aforementioned, finds that the request by Krystal Chanda for a variance for a 30' riparian setback, as described in the application, shall be **[approved] [denied] [tabled]**.

Motion by \_\_\_\_\_, seconded by \_\_\_\_\_ to adopt the foregoing Findings and Order.

**ROLL CALL:**

Councilperson Dimick	Voted [Yes] [No] [Absent/Recused]
Councilperson Madsen	Voted [Yes] [No] [Absent/Recused]
Councilperson Selleneit	Voted [Yes] [No] [Absent/Recused]
Councilperson Ulrich	Voted [Yes] [No] [Absent/Recused]
Councilperson Ward	Voted [Yes] [No] [Absent/Recused]

Motion carried by a \_\_\_\_\_ to \_\_\_\_\_ vote.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Signed by (Chairperson) (Vice Chair)

**ACKNOWLEDGEMENT CERTIFICATE**

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

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year of 2026, before me \_\_\_\_\_, a notary public, personally appeared \_\_\_\_\_ 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.

S	_____
E	Notary Public
A	My Commission Expires on _____ 20____
L	

AGENDA ITEM NO. 5  
Subdivision Concept Plan –  
Westfield Estates Division 7



# PLANNING AND DEVELOPMENT SERVICES

5500 S 5<sup>th</sup> Ave | Pocatello, Idaho 83204 | 208.236.7230 | [www.bannockcounty.gov](http://www.bannockcounty.gov)

## CONCEPT PLAN– WESTFIELD ESTATES DIVISION 7

PUBLIC HEARING: MARCH 18, 2026

### STAFF REPORT

**FILE #:** SCP-26-1

**LOCATION:** RPR3853006606, currently unaddressed.

**APPLICANT:**

Sunrise Engineering  
David Assan  
600 E. Oak Street  
Pocatello, ID 83201

**OWNER:**

Rio Vista Land LLC  
158 S. Main Street  
Pocatello, ID 83204

**RECOMMENDATION:** Staff recommends approval with the following conditions:

1. Provide written comments regarding the road design from the City of Chubbuck with Preliminary Plat submittal. In the absence of comment, provide evidence of attempt to contact them at least twice.
2. Provide location of central mail boxes on the preliminary plat and final plat.
3. Provide location of school bus stop on the preliminary plat and final plat.
4. All subsequent plats shall state "Lot 20 and Lot 21, Block 4 are restricted from access off of Rio Vista Road."
5. Include the proposed stormwater detention/retention methods and measures, adequate for controlling post development stormwater runoff, on the preliminary plat.
6. All subsequent plats shall state "This subdivision is in area of concern for Ethylene Dibromide (EDB) groundwater contamination."
7. All sidewalks within the right-of-way shall be the HOA's responsibility while located within the county. CC&Rs shall state so.
8. 10' public utility easement to be extended within lots 20 and 21 along Rio Vista Road and clearly noted on all subsequent plats.
9. Plat will reference dedication to the county, until annexation to the city occurs.
10. Irrigation line, within right-of-way, shall have an easement created.

Council may wish to add additional conditions as needed.

**REQUEST & BACKGROUND:** David Assan proposes to subdivide approximately 6.78 acres of land into 12 lots. The development proposes City of Chubbuck water and sewer. The buildable lots would range between 0.42 and 0.60 acres in size. This subdivision is located ~ 0.53 miles from the City of Chubbuck boundary.

STAFF REPORT  
CONCEPT PLAN – Westfield Estates Division 7  
Page 1 of 9

**CONCEPT PLAN PROPOSAL SUMMARY:**

TOTAL AREA: 6.78 +/- acres

BUILDING LOTS: 12 residential

DWELING UNIT DENTISY: 1 dwelling unit per 0.565 acres

BUILDING LOT SIZE: Approximately 0.42 acres to 0.53 acres

WATER & SEWER: City of Chubbuck

STORMWATER SYSTEM: Roadside swales.

UTILITIES: Gas, power, cable TV, etc. to be provided. Pressurized irrigation will also be provided by the HOA.

FIRE PROTECTION: North Bannock fire district; Fire hydrants will be placed every 500 feet.

ROADS/ACCESS: Devonshire Drive, a county-maintained road and Brighton Lane, a private road.

**SITE CHARACTERISTICS AND ZONING:**

ZONE: Residential Suburban

PROPERTY SIZE: ~6.78 acres

VIEWS: The property is visible from all directions.

IMPACT AREA: City of Chubbuck

FLOOD ZONE: X, minimal

TERRAIN: Relatively flat

EXISTING STRUCTURES: None.

**SURROUNDING LAND USES AND ZONING**

NORTH: Residential and bare ground; Residential Suburban

EAST: Residential; Residential Suburban

SOUTH: Residential; Residential Suburban

WEST: Residential and bare ground; Residential Suburban

**COMMUNITY IMPACT ANALYSIS:**

1. Total population at built out will be a total of 38.4. (12 lots x 3.2 persons per household.)
2. Population five to 17 years of age will be 9.216. (38.4 population x 24%)
3. Water usage will be 1,000 gal per day per household, total project at build out will be 1,200 gal. per day per lot.
4. Sewage produced per unit will be 208 gallons a day and total for project will be approximately 2,500 gallon per day.
5. Tax generated for average size lot is estimated to be approximately \$4,600 per lot assuming a dwelling and land value of \$400,000.
6. Cost to provide services is not known.

**APPLICABLE LAWS AND PLANS:**

1. Idaho Code §67-65, LOCAL LAND USE PLANNING ACT – SUBDIVISION ORDINANCE
2. 2021 Bannock County Comprehensive Plan
3. Bannock County Zoning Ordinance, 1998-1
  - a. §330 RESIDENTIAL SUBURBAN DISTRICT
4. Bannock County Subdivision Ordinance, 1997-4, specifically:
  - a. §302 CONCEPTUAL OR MASTER PLAN REVIEW

**CONCEPT PLAN REVIEW CRITERIA §302.E**

The concept plan for a subdivision may be approved only if the reviewing authority shall find that it satisfies the following criteria:

1. **The proposed tentative plan is in conformance with the Bannock County Comprehensive Plan; is in conformance with all applicable provisions of this Ordinance, other County Ordinances, and Idaho Code.**

Staff Findings

Staff has identified the following applicable goals and policies (others may be identified by the Council):

Goal 1.2: A balance of urban and rural amenities to attract families.

Goal 2.2: Development that fosters economic growth while maintaining the rural character of the county.

Strategy 2.2.4: Allow rural developments to offer a mix of lot sizes to support people with diverse incomes, uses, and needs.

Strategy 2.2.5: Continue to ensure that developments, rezones, and land uses align with the Future Land Use Map and its associated characteristics and descriptions as illustrated in Figure 7.

Goal 3.3: A rural atmosphere with a variety of housing and commercial development opportunities.

Strategy 3.3.1: Manage density requirements where growth opportunities exist while considering the desire for open space.

Goal 4.4: Protected natural resources.

Strategy 4.4.2: Continue responsible natural resource management.

Strategy 4.4.3: Support responsible use and management of surface and ground water.

Idaho Code:

Developer will need to research Idaho Code to ensure all provisions have been met.

Bannock County Zoning Ordinance				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Ordinance Section	Staff Comments
x			§330	Residential Suburban allows lots less than 5 acres when connecting to city sewer.

Bannock County Subdivision Ordinance				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Ordinance Section	Staff Comments
x			§404.G	All lots in subdivisions of more than four lots shall access to an interior subdivision road or street.
x			Staff Comments	The proposed subdivision name "Westfield Estates Division 7" has been reviewed. All though Westfield Estates name has been used in the past, the same developer has created all subdivision phases, allowing the subdivision name to be used per Idaho Code.
x			§402	Interior roads must meet the Highway Standards and Roadway Development Procedures for Bannock County (HSRDP). Council should consider restricting access on corner lots and from Rio Vista Road.

2. The proposed roads and bridges will be designed and constructed according to the Section 402 of this Ordinance. If a design deviation is requested, it shall equal or exceed those standards for its purpose.

Bannock County Subdivision Ordinance				
Compliant			Standards and Staff Comments	
Yes	No	N/A	Ordinance Section	Staff Comments
x			Staff Comments	Applicant has requested a deviation from the standard 60' right-of-way to a 55' right-of-way. The road design is consistent with phases 1-4.
			HSRDP 2100.010	When construction of a new roadway or modification to an existing roadway occurs within the area of city impact, the Road and Bridge Department may apply the standards and specifications of the City at the Road and Bridge Department's discretion.
x			§402.C	Subdivisions of 20 or more lots, or those which adjoin an existing subdivision with a combination of 25 or more lots, shall provide two or more ingress/egress roadways.

3. The proposed partitioning of land does not prohibit the extension of dedicated streets or roads.

Staff Findings

Proposed phase 7 connects Brighton Lane to Devonshire Drive. Devonshire Drive and Westfield Avenue connect to allow ingress and egress for the subdivision.

4. The proposed partitioning will not conflict with legally established easements or access within or adjacent to the proposed land partition.

Staff Findings

Westfield Estates Phase 4 has a temporary turn around at the end of Brighton Lane that will be vacated with the recording of this phase. There is a 21' public utility easement that will extend along the proposed road way. A 60' strip of right-of-way has been depicted on the west side of the proposed subdivision for Rio Vista Road.

Westfield Estates Phase 5 and 6 has a 10' utility easement running north to south within the lots, along Rio Vista. Council should consider if this easement needs to be extended through this phase.

The developer should research to find all existing easements and depict them on the plat, according to Bannock County Subdivision Ordinance §302.A.2.b.

5. **The blocks of lots are located and laid out to properly relate to adjoining or nearby lot or parcel lines, utilities, streets, or other existing or planned facilities.**

Staff Findings

The proposed building lots will connect with an existing subdivision, clustering the home sites. The design will allow connectivity of roadways and utility easements. The lot sizes are consistent with existing phased subdivisions.

Lots appear to be laid out in a manner that properly relate to the adjoining lots, parcel lines, utilities, streets, or other existing or planning facilities.

6. **The proposed property is physically suitable for the type and proposed density of development and conforms to existing zone standards.**

Staff Findings

The land is currently used for agricultural and residential. The land is relatively flat and is adjacent to other residential uses. Connecting to city services permits the development density.

Per Bannock County Zoning Ordinance §333, single-family dwellings, duplex, accessory uses which are customarily incidental to residential uses, livestock on one acre or more, and noncommercial recreational facilities are permitted uses in this district.

**AGENCY COMMENTS:**

1. None received at the time of this report.

**PUBLIC COMMENTS:**

2. None received at the time of this report.

**EXAMPLE MOTIONS**

**APPROVAL (WITH CONDITIONS):**

Having reviewed the application, staff report, and all testimony presented tonight as part of the record, and based on the criteria for a Subdivision Concept Plan, and having found that those criteria for approval are satisfied, I move to approve the Concept Plan for Westfield Estates Division 7, as described in the application and staff report, with the following conditions:

1. ....
2. ....

**APPROVAL (NO CONDITIONS):**

Having reviewed the application, staff report, and all testimony presented tonight as part of the record, and based on the criteria for a Subdivision Concept Plan, and having found that those criteria for approval are satisfied, I move to approve the Concept Plan for Westfield Estates Division 7, as described in the application and staff report.

**DENIAL:**

Having reviewed the application, staff report, and all testimony presented tonight as part of the record, and based on the criteria for a Subdivision Concept Plan, and having found that those criteria for approval are not satisfied, I move to deny the Concept Plan for Westfield Estates Division 7, as described in the application and staff report.

I find that the petition fails to comply with... (cite specific standards which are not met and why).

**REPORT BY:**

Alisse Foster, Subdivision Planner  
[alissef@bannockcounty.gov](mailto:alissef@bannockcounty.gov)

**REPORTED DATE:** March 10, 2026

*\*Staff comments in this report are based solely upon evidence available at the time of the report. Additional information may be brought to light at or before the hearing.*

**EXHIBITS:**

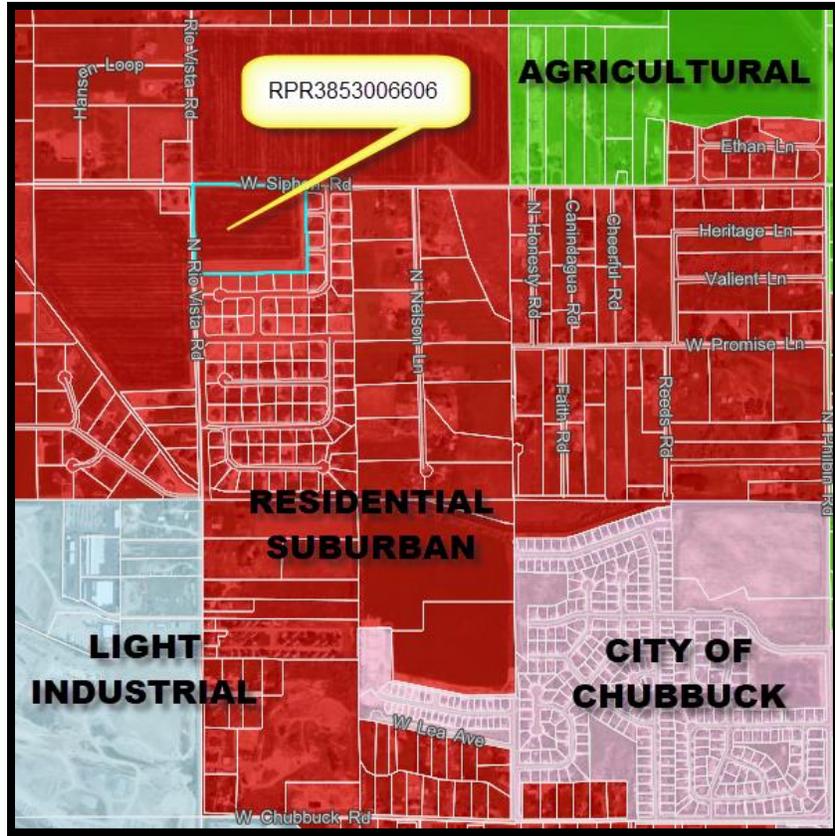
1. Reference Maps
2. Application and Concept Plan
3. Predevelopment Review Comments
4. Agency/Public Comments (if any)
5. Referenced Ordinance and Plans-on file

STAFF REPORT  
CONCEPT PLAN – Westfield Estates Division 7  
Page 7 of 9

## REFERENCE MAPS



**SITE MAP**



ZONING MAP



EXPLORER CONTOUR MAP

# EXHIBIT 1

## Application & Site Plan



**Record No: SCP-26-1**

Subdivision Concept  
Plan Application

Status: Active

Submitted On: 1/15/2026

**Primary Location**

No location

**Owner**

No owner information

**Applicant**

David Assan  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

---

**Owner/Developer Information**

Are the Owner and Developer the same?

**Owner Name\***

Rio Vista Development LLC

**Street Address\***

**City\***

**State\***

**Zip Code\***

**Email Address\***

**Phone Number\***

## Site Information

**Proposed Subdivision Name\***

Westfield Estates - Division 7

**Parcel Number(s)\***

RPR3853006606

**Number of Lots \***

12

**Quarter**

NWNW

**Section**

5

**Township**

6S

**Range**

34E

---

## Subdivision Information

**Current zoning\***

Residential Suburban

**Proposed uses of the property\***

Single Family Residential

**Description of improvements proposed to be made or installed, and the time such improvements are proposed to be made or completed.\***

The proposed project will install roadways, utilities, and single-family residential development

**Proposed and/or existing deed restrictions, if any, including easements and rights-of-way.\***

None

**Statement describing proposed water supply, sewage disposal, and drainage.\***

Water and Sewer services to be provided by the City of Chubbuck, with stormwater directed into roadside swales

**Proposed utilities and location/placement of utilities.\***

All utilities shall be installed under/along roadways and in utility easements

**Proposed fire suppression and prevention measures.\***

The development will install fire hydrants for fire suppression

**Proposed road name(s)\* ?**

Brighton Lane

**Will this be an Open Space designed subdivision?\* ?**

No

**Will this be a phased subdivision?\***

No

**Comments from Reviewing Agencies\* ?**

None

---

## Subdivision Pre-development Meeting

**Pre-development Meeting Date**

07/19/2021

**Comments from Pre-development Meeting ?**

See Attached

# Engineer/Planner/Surveyor Information

**Engineer/Planner/Surveyor Name**

Matt Baker

**Email**

[REDACTED]

**Phone Number**

[REDACTED]

---

## Acknowledgement

I hereby acknowledge that I have read this application and state that the information on this application is correct to the best of my knowledge.

\*



**Electronic Signature [Typed Name of Applicant]\***

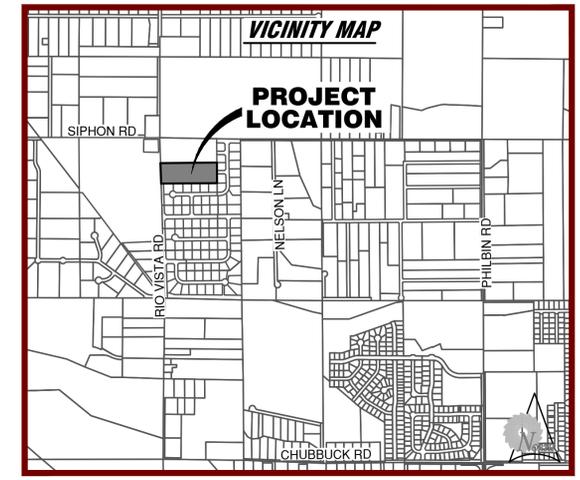
David Assan

**Date of Signature\***

01/15/2026

# PRELIMINARY PLAT FOR: WESTFIELD ESTATES - DIVISION 7

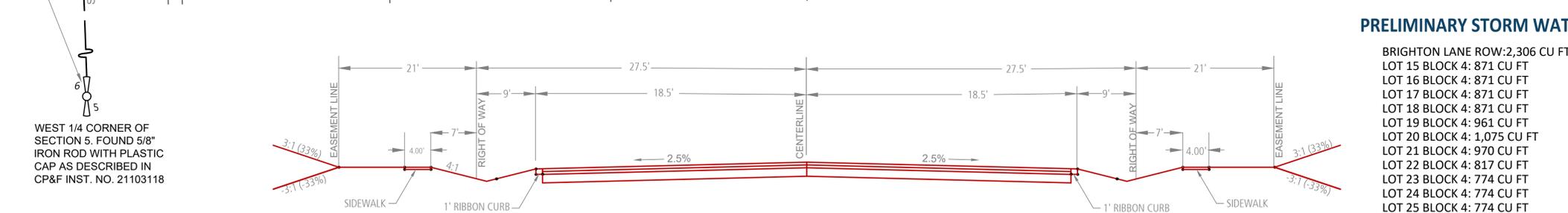
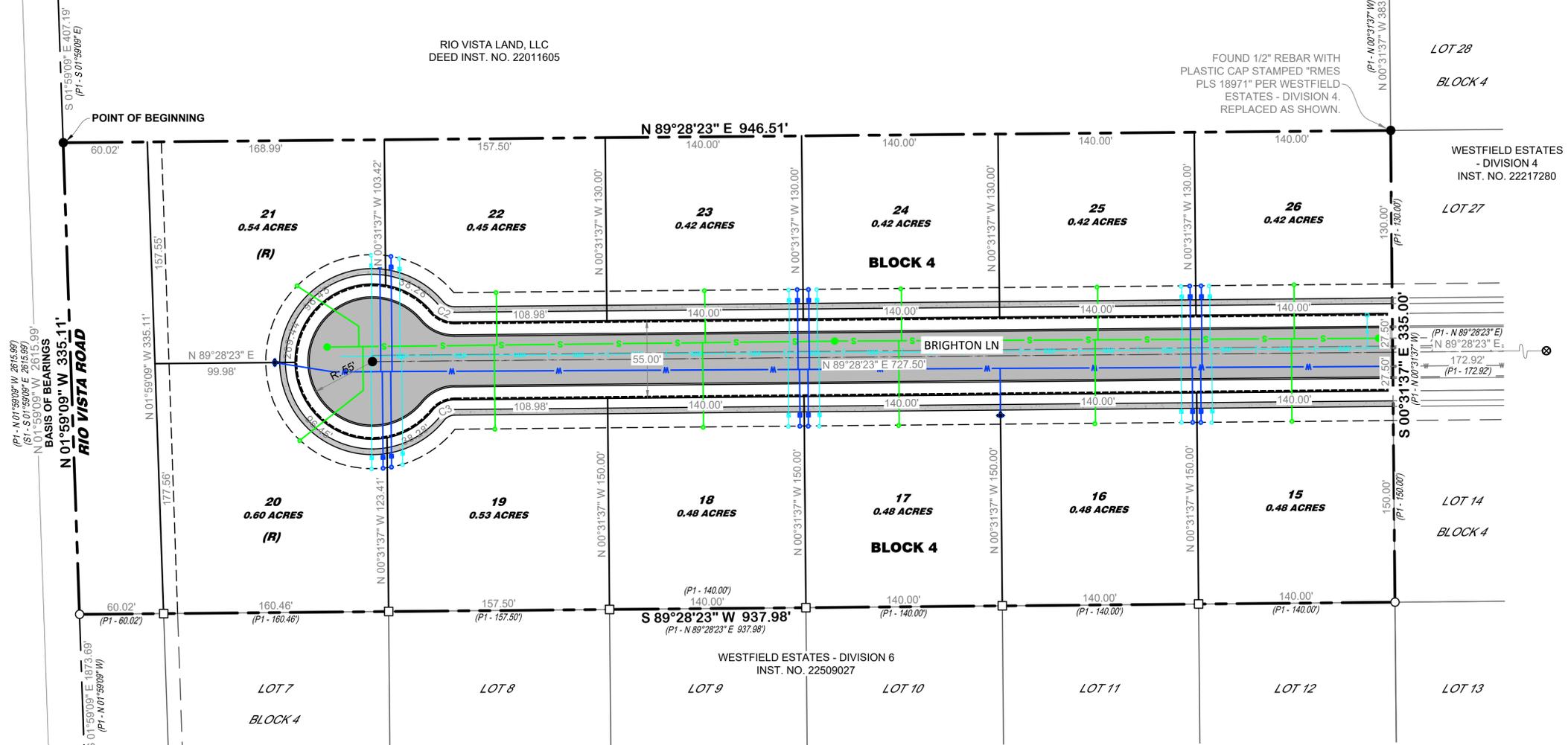
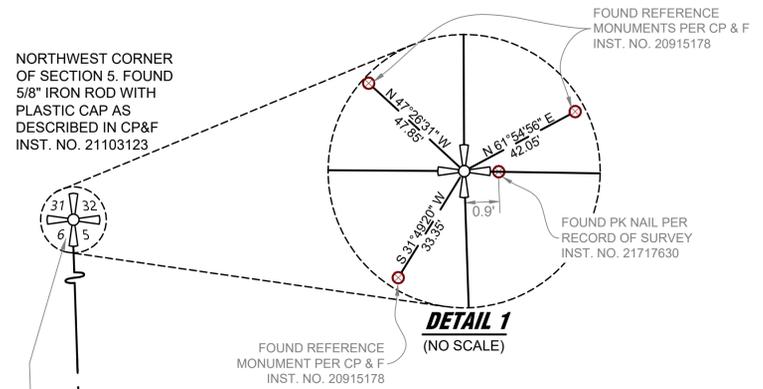
LOCATED IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 5, TOWNSHIP 6 SOUTH, RANGE 34 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO



**LEGEND**

EXISTING	PROPOSED	DESCRIPTION
---	- - - -	PROPOSED BOUNDARY LINE
---	---	PROPOSED PROPERTY LINE
---	---	PROPOSED EASEMENT LINE
---	---	PROPOSED CENTER LINE
---	---	SECTION LINE
---	---	COUNTOUR LINES
---	---	WATER LINE
---	---	IRRIGATION LINE
---	---	SEWER LINE
---	---	STORM LINE
---	---	UNDERGROUND / OVERHEAD POWER LINE
---	---	GAS LINE
---	---	TELEPHONE / FIBER LINE
---	---	CABLE TV LINE
---	---	SIDEWALK
---	---	STANDARD CURB / RIBBON CURB
---	---	FIRE HYDRANT / WATER VALVE
---	---	WATER METER / WATER SERVICE
---	---	IRRIGATION BOX / IRRIGATION SERVICE
---	---	SEWER MANHOLE
---	---	SEWER SERVICE
---	---	STORM MANHOLE / STORM CATCH BASIN
---	---	STORM INFILTRATION BED
---	---	POWER POLE / POWER BOX
---	---	GAS METER
---	---	TELEPHONE BOX / FIBER OPTIC BOX
---	---	CABLE TV BOX/STREET LIGHT

- NOTES**
- CURRENT ZONE: RESIDENTIAL SUBURBAN
  - FUTURE DESIGNATION: MIXED USE
  - TOTAL AREA OF SUBDIVISION: 6.78 ACRES
  - LOT SIZE DATA  
PROPOSED MIN: 0.42 ACRES  
AVERAGE LOT SIZE: 0.45 ACRES
  - SUBDIVISION STAYS 12 LOTS
  - ALL STREETS TO BE DEDICATED TO THE CITY OF CHUBBUCK FOR PUBLIC USE.
  - PUBLIC UTILITY EASEMENTS ALONG BRIGHTON LANE ARE 21.00' WIDE.
  - SEWER AND WATER TO BE CONNECTED TO THE CITY OF CHUBBUCK COLLECTION AND DISTRIBUTION SYSTEMS RESPECTIVELY.
  - ALL STORM WATER FOR BRIGHTON LANE TO BE RETAINED IN ROAD SIDE SWELLS
  - LOTS 20 & 21 OF BLOCK 4 SHALL ONLY HAVE ACCESS OF OFF BRIGHTON LANE
  - THE SUBDIVISION IS IN AN AREA OF CONCERN FOR ETHYLENE DIBROMIDE (EDB) GROUND WATER CONTAMINATION.
  - ALL SIDEWALKS WITHIN THE RIGHT-OF-WAY SHALL BE THE HOA'S RESPONSIBILITY WHILE LOCATED WITHIN THE COUNTY.
  - ALL EXISTING STRUCTURES SHALL MEET SETBACK REQUIREMENTS OF INSTRUMENT NUMBER 22127540. ALL LOTS SHALL FOLLOW SETBACK REQUIREMENTS OF CURRENT ZONE.

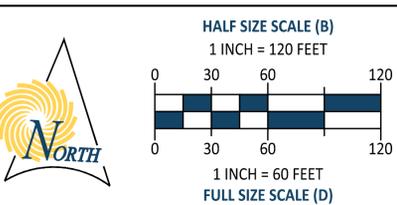


**PRELIMINARY STORM WATER REQ.**

BRIGHTON LANE ROW: 2,306 CU FT  
 LOT 15 BLOCK 4: 871 CU FT  
 LOT 16 BLOCK 4: 871 CU FT  
 LOT 17 BLOCK 4: 871 CU FT  
 LOT 18 BLOCK 4: 871 CU FT  
 LOT 19 BLOCK 4: 961 CU FT  
 LOT 20 BLOCK 4: 1,075 CU FT  
 LOT 21 BLOCK 4: 970 CU FT  
 LOT 22 BLOCK 4: 817 CU FT  
 LOT 23 BLOCK 4: 774 CU FT  
 LOT 24 BLOCK 4: 774 CU FT  
 LOT 25 BLOCK 4: 774 CU FT  
 LOT 26 BLOCK 4: 774 CU FT

**INTELLECTUAL PROPERTY NOTICE**

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**SHEET INFORMATION:**

DRAWN BY: TJT	REVIEWER: RMH
CREATED: 12.30.2025	LAST REVISED: 01.14.2026

**DEVELOPER INFORMATION:**

NAME	RIO VISTA LAND LLC
CONTACT	TANNER STENQUIST
INFO	tannerjstenquist@gmail.com

**SHEET NAME:**  
**PRELIMINARY PLAT**  
**WESTFIELD ESTATES DIV. 7**

600 EAST OAK STREET, POCATELLO, ID 83201  
 TELEPHONE 208.234.0110  
 www.sunrise-eng.com

SHEET NUMBER  
**1 OF 1**

EXHIBIT 2  
Pre-Development – Bannock County –  
Approval Letter

**BANNOCK COUNTY**  
**OFFICE OF PLANNING & DEVELOPMENT SERVICES**  
5500 SOUTH FIFTH AVENUE • POCATELLO, ID 83204  
(208) 236-7230 • Fax: (208) 232-2185

July 19, 2021

Dannis Adamson  
Rio Vista Land, LL  
158 S Main Street  
Pocatello, Idaho 83204

RE: Westfield Estates Division 4 through 8  
Pre-Development Conference – County Comments

Mr. Adamson,

An application for the future divisions 4 through 8 of Westfield Estates was submitted on June 16, 2021. The application proposes to divide approximately 41 acres (+/-) of land into 65 residential lots and 1 future access lot south of Siphon Road and east of Rio Vista Road, The process for determining the suitability of land for subdividing can be found in Section 300 of the Bannock County Subdivision Ordinance (SO) No. 1997-4. The requirements for the Pre-Development Phase can be found in SO Section 301 of the referenced ordinance.

The proposed subdivision is located within the Residential Suburban (RS) zoning district. Using Section 336.B of the Bannock County Zoning Ordinance (ZO) No. 1998-1 the Owner / Applicant proposes with a density of 1.58 Dwelling Units per acre.

Some general information regarding the property in question is shown below:

---

**Bannock County Application Number:** SUPD-21-6

**Bannock County Tax Parcel Numbers:** RPR3853006602

**Zoning:** Residential Suburban

**Total Area:** Approximately 41 acres

**Subdivision Proposal: New Residential Lots, Ave Lot Size, and Dwelling Unit Density:**

- 65 Residential Lots
- 1 Future Access Lot
- Ave Residential Lot Size: Approximately 0.5 Acre
- Density – 1.58 Dwelling Unit per acre

**Access:** Rio Vista and Siphon

**Proposed Water & Sewer:** Provided by the City of Chubbuck Municipal Systems

**Other Utilities:** Located adjacent to the proposed site. Developer provided pressurized Irrigation system

---

We discussed the proposed subdivision on July 19, 2021 in the Planning and Development department's conference room. The following individuals were present at the meeting:

- Owner and Applicant Representative
  - Owner / Developer: Rio Vista Land, LLC – Dannis Adamson

- Engineering / Surveying Consultant: RMES – Brady Smith via Zoom.
- Bannock County:
  - Michael Jaglowski, County Engineer
  - Jim Bagley, County Planner
  - Tristan Bourquin, Assistant Planner
  - Alisse Foster, Assistant Planner
- Agencies
  - None

A brief summary of items discussed during the meeting are as follows and should be considered to assess the site’s ability to meet Ordinance standards. Some items listed are possible areas of concern:

- General Zoning, Subdivision, and Open Space Ordinance Review:
  - It appears that the proposed development is within The City of Chubbuck’s Area of City Impact. The County recognizes this is a part of a phased development. As such, the Developer and the City of Chubbuck has executed a Development Agreement which provides land uses, densities, and design features targets that are consistent with those found in the City Chubbuck in exchange for the use of the Municipal Water and Sewer Systems.
  - County Zoning Ordinance allows the overall maximum dwelling unit density requirements according to ZO Section 336.B.
- Individual Well, residential Septic Systems, and Pressurized Irrigation System.
  - The City of Chubbuck is providing Municipal Water and Sewer to this development.
  - County Staff recognizes the Developer will provide pressurized irrigation to each future lot. This system was required, designed, constructed and current provides irrigation water to the first 3 divisions of the development.
- Road, Block, and Lots.
  - Please add a note indicating that County Road standards will likely change before the construction plan review and will be reflected in the Road Prism shown in the preliminary plat.
  - Please indicate on the Concept Plan that all lots shall access from an interior road.
  - Please include a note indicating future access restrictions on the corner lots. Access should be gained through the minor of the two road of each corner lot.
  - Please provide an access point to the east on Westfield Avenue.
  - Please consider changing the following:
    - The name of the subdivision name, Westfield Estates Phases 4 through 8
- Easements.
  - As determined for the discussion and learned from the utility review letter, the following easements should be placed on the Concept Plan and future Plats:
    - Community Mailbox proposed / actual location
  - Please show all other future and existing easements on the concept plan and future plats; additionally, please provide descriptions of these easements.
- Agency Discussion Points
  - City of Chubbuck regarding the development agreement. Developer has demonstrated that the items which can be satisfied at this phase of development are shown on the sketch provided.

At the conclusion of the meeting, it is staff’s understanding that the Owner / Developer plans to submit a Concept Plan application and revised concept plan to address the concerned items noted above.

This letter in no way relieves the applicant from meeting any of the requirements found in the Bannock County Subdivision or Zoning Ordinances, or any other applicable standard. If you do not agree with the findings in this decision or accept the conditions, you may request through writing, an appeal of the decision within fourteen (14) days of the receipt of this letter.

Should you have questions, please reach out to us. Our office is open Monday through Friday, 8:00 AM to 5:00 PM or contact us at (208) 236-7230.

Respectfully,

Michael R Jaglowski, P.E., C.F.M.  
County Engineer  
[mjaglowski@bannockcounty.us](mailto:mjaglowski@bannockcounty.us)

cc: City of Chubbuck  
Brady Smith - RMES

# EXHIBIT 3

## Pre-Development - Agency Comments

June 4th, 2021

Dear Sir or Madam:

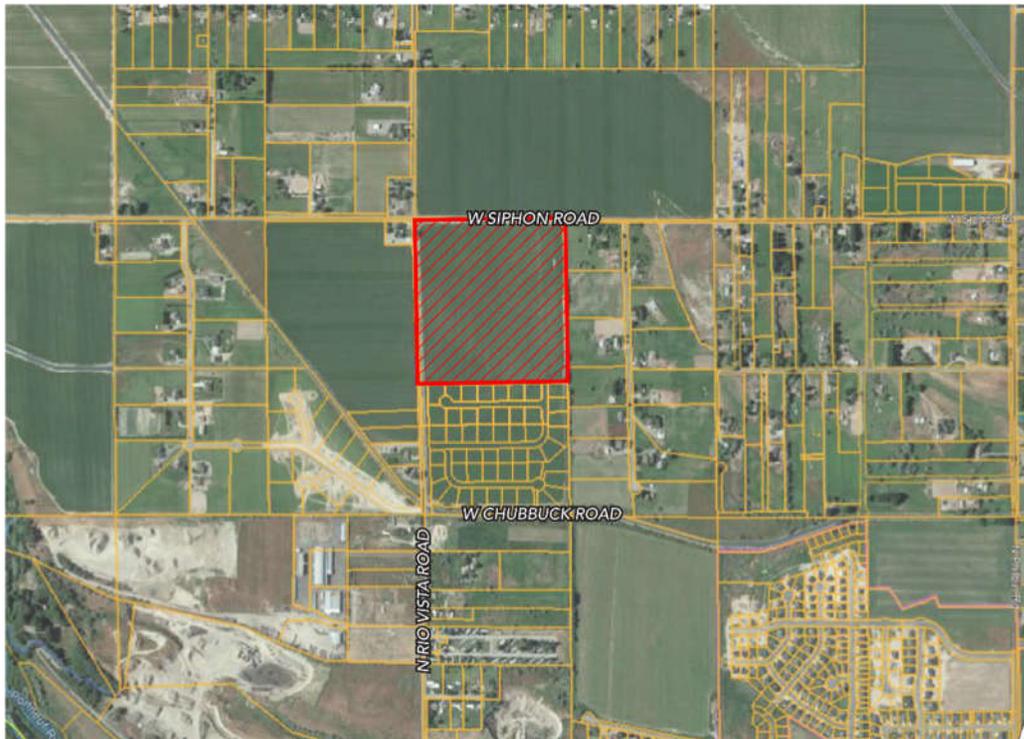
Your review and comments are requested for an application to subdivide approximately 41.01 acres of land.

This proposed development is anticipating 65 lots with an average lot size, not including the roads, of approx. 0.5 acres. It is generally located in Bannock County at the corner of Rio Vista and Siphon Roads.

Specifically, there is 1 parcel that makes up the approximate 41.01 acres.

**R3853006602 41.01 acres;**  
S05-T6S-R34E TR NW4

**Figure 1. General Location Map**



**Figure 2. General Location Map of Westfield Estates Div 4-8**

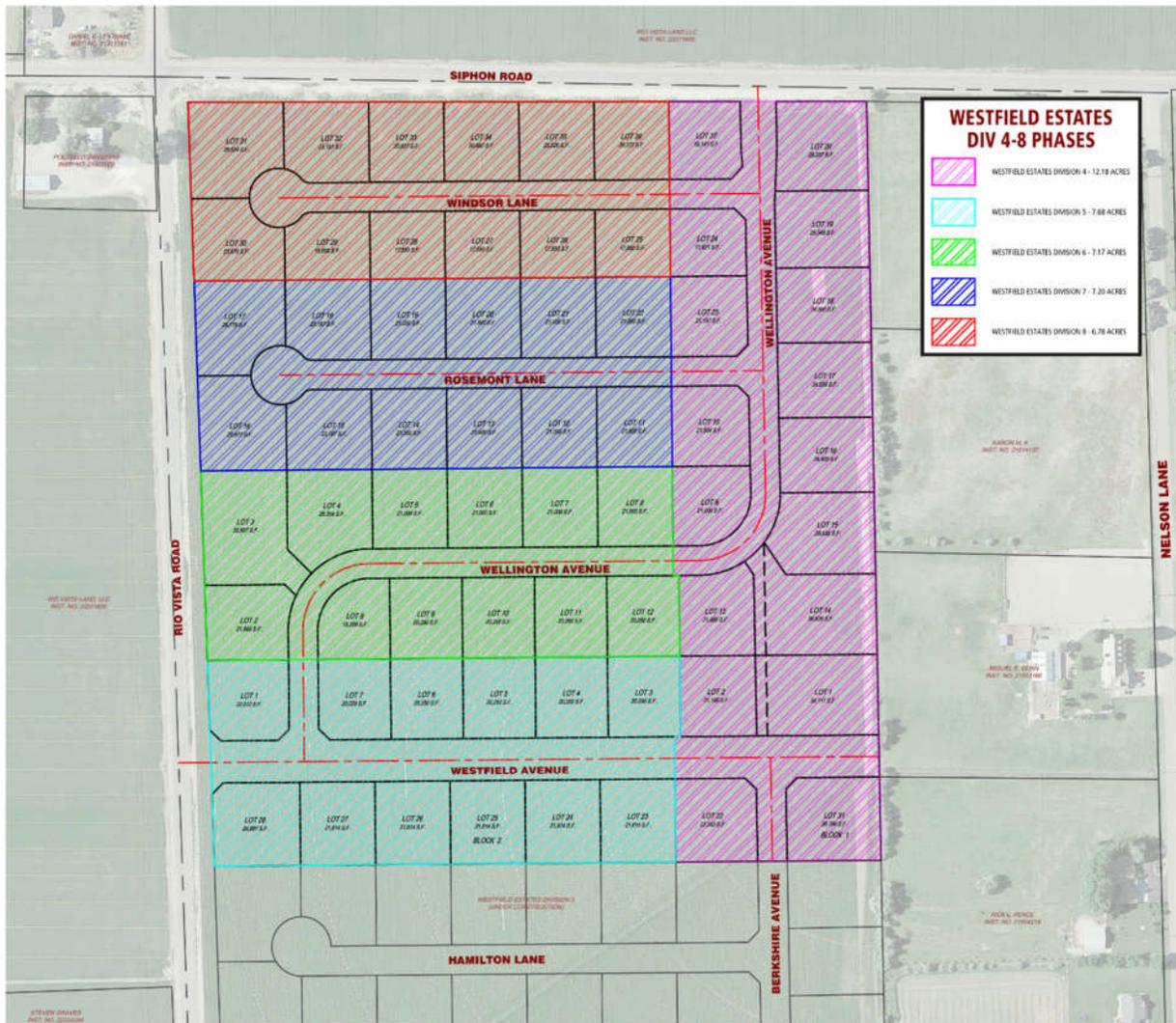
*Focused on Solutions*

Civil ♦ Environmental ♦ Transportation ♦ Planning ♦ Land Development ♦ Municipal ♦ Surveying

Bannock County Planning & Development Council

March 18, 2026

Page 78 of 159



The current proposal is to sub-divide and develop the property in five divisions. Division 4 will be accessed from Siphon Road in the North and Berkshire Avenue in the South, which will produce 17 lots. Division 5 will be accessed from Rio Vista Road, and will produce 12 lots. Division 6 will be accessed from Wellington Avenue, and will produce 12 lots. Division 7 will be accessed from Rosemont Lane, and will produce 12 lots. Division 8 will be accessed by Windsor Lane, and will produce 12 lots.

Division 4 is planned to commence in the spring/summer of 2021. Depending on the market, we anticipate developing Division 4 in the summer of 2022.

All utilities will be placed underground for the 65 single-family residential structures. The City of Chubbuck will be providing water and sanitary sewer services. A community pressurized irrigation system will be installed.

Pursuant to Bannock County's subdivision ordinance, we must have your comments to attach to the proposed application before it can be heard by the County Planning and Development Council.

**Focused on Solutions**

Your review and any comments you may have on the proposed subdivision are requested. This is our first attempt to request comment, so please provide us with any comments you may have by Tuesday June 8<sup>th</sup>, 2021 or we will consider our project as non-impactful to your agency. Please send and comments directly to:

Developer's Engineering Representative: RMES – Brady Smith  
600 E. Oak Street  
Pocatello, ID 83201  
(208) 234-0110  
brady@rmes.biz

County Representative: Michael Jaglowski, P.E.  
5500 S. 5th Avenue  
Pocatello, ID 83204  
(208) 236-7230  
mjaglowski@bannockcounty.us

If you have any questions or comments about the proposed subdivision, please call me at (208) 234-0110. I appreciate your assistance.

Sincerely,



Brady Smith  
RMES



Brady Smith &lt;brady@rmes.biz&gt;

---

**RE: [EXTERNAL] Westfield Estates Div 4 thru 8**

1 message

---

**Miller, Danny K** <dkmiller@blm.gov>

Tue, Jun 8, 2021 at 8:32 AM

To: Brady Smith &lt;brady@rmes.biz&gt;

Brady,

I see no adjacent Federal Land being managed by the BLM. So we have no issues.

\*\*\*\*\*

Danny K. Miller, J.D.

Realty Specialist

DOI/BLM Region 9

Pocatello Field Office

4350 Cliffs Drive

Pocatello, ID 83204

(208) 478-6357

[dkmiller@blm.gov](mailto:dkmiller@blm.gov)

\*\*\*\*\*

---

**From:** Brady Smith <brady@rmes.biz>
**Sent:** Friday, June 4, 2021 8:32 PM

**To:** sdavies@bannockcounty.us; Jeremy Messick <jeremym@bannockcounty.us>; Kiel Burmester <kielb@bannockcounty.us>; Bollinger, David <David.Bollinger@bia.gov>; Miller, Danny K <dkmiller@blm.gov>; Warren, Melissa D <mdwarren@blm.gov>; hsanger@pocatello.us; kkeller@phd6.idaho.gov; McCauley.Margaret@epa.gov; ahill@sbtribes.com; Gary Billman <GBillman@idl.idaho.gov>; IDL\_jurisdictional@idl.idaho.gov; pbrown@idl.idaho.gov1 <pbrown@idl.idaho.gov>; bruce.olenick@deq.idaho.gov; Wendy.Prather@deq.idaho.gov; allan.johnson@deq.idaho.gov; becky.johnson <becky.johnson@idfg.idaho.gov>; james.cefalo@idwr.idaho.gov; Peck, Gary <gpeck@idahopower.com>; Flo.Ghighina@itd.idaho.gov; Corey Krantz <Corey.Krantz@itd.idaho.gov>; james.murphy@intgas.com; Colborn, Phillip <phillip.colborn@intgas.com>; portneufswcd@gmail.com; ryan.cook@rockymountainpower.net; Christ, Russ <Russell.Christ@sparklight.biz>; kim.obele@usda.gov; Joyner, James M CIV USARMY CENWW (USA) <james.m.joyner@usace.army.mil>; nate.matlack@usda.gov; michael.rieske@williams.com; mrfb62@aol.com; downeyfirechief@gmail.com; johnny.ketner@tax.idaho.gov; mmiller@cityofchubbuck.us; kirk398@gmail.com; mccammonchief@gmail.com; jrfarnsworth@yahoo.com; spencer.k850@gmail.com; mori@bannockplanning.org; Rodney Burch <rburch@cityofchubbuck.us>; rthompson@sbtribes.com; Gardner, Timothy J <Timothy.Gardner@bia.gov>; Sorenson, Martin W <Martin.Sorenson@bia.gov>; reedba@sd25.us; howelldo@sd25.us; Holly Jackson <holly.jackson@portneuflibrary.org>; josh.barnes@portneuflibrary.org; Dannis Adamson <dannisadamson@gmail.com>; Michael Jaglowski <mjaglowski@bannockcounty.us>

**Subject:** [EXTERNAL] Westfield Estates Div 4 thru 8

**This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.**

To Whom it may concern

Please see the attached agency request letter.

[Redacted content]

Brady M. Smith | Operations Manager | [brady@rmes.biz](mailto:brady@rmes.biz) | o 208.234.0110 | c 208.705.0798 |   [rmes.biz](http://rmes.biz)

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Brady Smith <brady@rmes.biz>

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**RE: Westfield Estates Div 4 thru 8**

1 message

---

**Rodney Burch** <rburch@cityofchubbuck.us>  
To: Brady Smith <brady@rmes.biz>

Wed, Jun 9, 2021 at 7:57 AM

Brady,

The City of Chubbuck will have comments.

We will try to have them prepared and returned to you by the 14<sup>th</sup> as requested, however, our concerns / comment may raise to Council level and delay our response.

Thanks.....

**Rodney T. Burch, PLS**

Public Works Director

[rburch@cityofchubbuck.us](mailto:rburch@cityofchubbuck.us)

5160 Yellowstone Avenue

PO Box 5604

Chubbuck, Idaho 83202

Office: 208-237-2430 ext 132

Direct: 208-239-3232

---

**From:** Brady Smith [mailto:[brady@rmes.biz](mailto:brady@rmes.biz)]

**Sent:** Tuesday, June 8, 2021 4:53 PM

**To:** [sdavies@bannockcounty.us](mailto:sdavies@bannockcounty.us); Jeremy Messick <[jeremym@bannockcounty.us](mailto:jeremym@bannockcounty.us)>; Kiel Burmester <[kielb@bannockcounty.us](mailto:kielb@bannockcounty.us)>; Bollinger, David <[david.bollinger@bia.gov](mailto:david.bollinger@bia.gov)>; [hsanger@pocatello.us](mailto:hsanger@pocatello.us);

kkeller@phd6.idaho.gov; McCauley.Margaret@epa.gov; ahill@sbtribes.com; gbillman@idl.idaho.gov; IDL\_jurisdictional@idl.idaho.gov; Pat Brown <pbrown@idl.idaho.gov>; bruce.olenick@deq.idaho.gov; allan.johnson@deq.idaho.gov; Johnson,Becky <becky.johnson@idfg.idaho.gov>; james.cefalo@idwr.idaho.gov; Peck, Gary <gpeck@idahopower.com>; Flo.Ghighina@itd.idaho.gov; Corey Krantz <Corey.Krantz@itd.idaho.gov>; james.murphy@intgas.com; Colborn, Phillip <phillip.colborn@intgas.com>; portneufswcd@gmail.com; ryan.cook@rockymountainpower.net; Christ, Russ <Russell.Christ@sparklight.biz>; kim.obele@usda.gov; nate.matlack@usda.gov; michael.rieske@williams.com; mrfb62@aol.com; downeyfirechief@gmail.com; johnny.ketner@tax.idaho.gov; Merlin Miller <mmiller@cityofchubbuck.us>; kirk398@gmail.com; mccammonchief@gmail.com; jrfarnsworth@yahoo.com; spencer.k850@gmail.com; mori@bannockplanning.org; Rodney Burch <rburch@cityofchubbuck.us>; rthompson@sbtribes.com; reedba@sd25.us; howelldo@sd25.us; Holly Jackson <holly.jackson@portneuflibrary.org>; josh.barnes@portneuflibrary.org; Dannis Adamson <dannisadamson@gmail.com>; Michael Jaglowski <mjaglowski@bannockcounty.us>

**Subject:** Re: Westfield Estates Div 4 thru 8

To Whom it may concern

Please see the attached agency request letter. This is our final attempt to request any feedback from you on our project. Please let us know by the end of the day Monday June 14th if you have any comments or concerns.

Thank you

Brady M. Smith   Operations Manager   <a href="mailto:brady@rmes.biz">brady@rmes.biz</a>   o 208.234.0110   c 208.705.0798	<a href="http://rmes.biz">rmes.biz</a>
<b>Focused on Solutions</b>	
<p><i>Acceptance and use of any and all electronically transmitted information and/or drawings indicates the Recipient's agreement to the following terms and conditions: <a href="#">Click for Full Electronic Document agreement</a></i></p>	

On Fri, Jun 4, 2021 at 8:31 PM Brady Smith <[brady@rmes.biz](mailto:brady@rmes.biz)> wrote:

To Whom it may concern

Please see the attached agency request letter.



Brady M. Smith | Operations Manager | [brady@rmes.biz](mailto:brady@rmes.biz) | o 208.234.0110 | c 208.705.0798 |

[rmes.biz](http://rmes.biz)

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## Public Works Department

PO Box 5604 – 5160 Yellowstone Avenue, Chubbuck, ID 83202  
208.237.2430 – Fax 208.237.2409  
www.CityofChubbuck.us

---

June 14, 2021

Brady Smith  
RMES  
600 E. Oak Street  
Pocatello, Id 83201

RE: Westfield Estates Division 4-8

Dear Brady,

Please accept these comments on behalf of the City of Chubbuck.

The City is fully aware that this is a Bannock County development located inside the current Area of City Impact agreement. As such, Bannock County controls the development processes.

However, Bannock County officials should be aware that the agreement for Chubbuck to provide Water and Sewer, which was executed by the developer in February of 2020, contains conditions that appear to not be met by this current application. The areas of concern are listed below:

- Section 2.3 indicates “the subdivision infrastructure construction, future alterations modifications to the development, shall conform to any and all then applicable City subdivision infrastructure construction standards...”

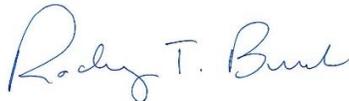
The concept as proposed does not meet those standards in the following areas:

- Westfield Avenue must be dedicated and built as a collector roadway including ROW width and roadway infrastructure improvements.
- The intersection of Westfield and Wellington do not meet BTPO access control standards as adopted by City of Chubbuck.
- Pedestrian pathways would be from between the Windsor and Rosemont cul-d-sacs extending to Wellington Avenue. It appears the plan already accommodates pedestrian pathway between Wellington and Westfield near the east end.
- It appears the Siphon Road proposed ROW does not meet dedication requirements in accordance with the future road classification plan of the City. This section should be 120' of ROW (60' east side of the roadway)
- Corner lots should have access restricted to the lower classified roadway.
- City ordinance requires park infrastructure be built or an impact fee paid to create parks and recreation facilities in other nearby locations. This plan does not represent any public park improvements.

- The original approval for the City to provide municipal services was based on a master plan that included 315 dwelling units on the proposed parcel. The plan as now modified only provides 65 units. The effect of this change is infrastructure maintenance and operation cost are now carried by 250 less properties, thereby creating inefficient infrastructure systems.
- Our (County and City) residents are pleading for increased efficiency in operations, utility cost and property taxes. This proposal negatively impacts all those areas of concern. For example:
  - o The same amount of roadway, water and sewer mainlines are required to serve 65 units and the 315 originally proposed. This is 250 fewer parcels to help fund their fair share of Water, Sewer, Streets, Fire, EMS, School District and Library operations.
  - o The estimated assessed value of the 65 units is \$26m and for the previously proposed 315 units it would be \$79m.
    - Net effect is an annual loss of tax revenue to the County of \$238,000 annually.
    - School district 25 losses \$165,000 annually
    - With the same effects on all other taxing districts
  - o Original proposed density of 4.8 units per acre has been replaced with the current application only being 1.5 units per acre. It may be true that there is a demand for lower density / larger lots, but we MUST realize the negative financial impact these development have on municipal infrastructure.
    - To provide water and sewer to this development opposed to the original proposed plan is a loss of \$300,000 annually to the utility systems
    - It is a loss of \$1,000,000 in Sewer Capacity fees
    - It is a loss of \$500,000 in water capacity fees
    - It is a loss of \$530,000 in treatment plant fees that help support the regional wastewater plant operated by the City of Pocatello
  - o Development of this style is not cost effective for use of municipal services.

The City believes the plan as proposed represents a significant change in overall development densities which were originally represented by the developer. This change has a negative impact on our current residents and utility customers and therefore may change the City's desire to provide municipal services as requested.

Sincerely,



Rodney Burch, PLS  
Public Works Director

Cc: Mike Jaglowski, Bannock County Engineer

*J:\Engineering\Development\COUNTY Subdivisions\Westfield Estates - Division 4\County Review\Westfiled 4-8 City Response.docx*



PO Box 5604 – 5160 Yellowstone Avenue, Chubbuck, ID 83202  
208.237.2430 – Fax 208.237.2409  
[www.CityofChubbuck.us](http://www.CityofChubbuck.us)



Brady Smith &lt;brady@rmes.biz&gt;

---

**FW: [Non-DoD Source] Westfield Estates Div 4 thru 8**

1 message

Joyner, James M CIV USARMY CENWW (USA) &lt;James.M.Joyner@usace.army.mil&gt;

Mon, Jun 7, 2021 at 7:58 AM

To: Brady Smith &lt;brady@rmes.biz&gt;

Cc: "Mike Jaglowski (mjaglowski@bannockcounty.us)" &lt;mjaglowski@bannockcounty.us&gt;

We have no comments

*James M. Joyner*

Sr. Regulatory Project Manager

US Army Corps of Engineers

Walla Walla District

Idaho Falls Regulatory Office

[900 N Skyline Drive, Suite A](#)[Idaho Falls, Idaho 83402](#)

208-522-1645

[james.m.joyner@usace.army.mil](mailto:james.m.joyner@usace.army.mil)

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**From:** Brady Smith <brady@rmes.biz>**Sent:** Friday, June 4, 2021 8:32 PM**To:** [sdavies@bannockcounty.us](mailto:sdavies@bannockcounty.us); Jeremy Messick <[jeremym@bannockcounty.us](mailto:jeremym@bannockcounty.us)>; Kiel Burmester <[kielb@bannockcounty.us](mailto:kielb@bannockcounty.us)>; Bollinger, David <[david.bollinger@bia.gov](mailto:david.bollinger@bia.gov)>; Miller, Danny K <[dkmiller@blm.gov](mailto:dkmiller@blm.gov)>; [mdwarren@blm.gov](mailto:mdwarren@blm.gov); [hsanger@pocatello.us](mailto:hsanger@pocatello.us); [kkeller@phd6.idaho.gov](mailto:kkeller@phd6.idaho.gov); [McCauley.Margaret@epa.gov](mailto:McCauley.Margaret@epa.gov); [ahill@sbtribes.com](mailto:ahill@sbtribes.com); [gbillman@idl.idaho.gov](mailto:gbillman@idl.idaho.gov); [IDL\\_jurisdictional@idl.idaho.gov](mailto:IDL_jurisdictional@idl.idaho.gov); Pat Brown <[pbrown@idl.idaho.gov](mailto:pbrown@idl.idaho.gov)>; [bruce.olenick@deq.idaho.gov](mailto:bruce.olenick@deq.idaho.gov); [Wendy.Prather@deq.idaho.gov](mailto:Wendy.Prather@deq.idaho.gov); [allan.johnson@deq.idaho.gov](mailto:allan.johnson@deq.idaho.gov); Johnson,Becky <[becky.johnson@idfg.idaho.gov](mailto:becky.johnson@idfg.idaho.gov)>; [james.cefalo@idwr.idaho.gov](mailto:james.cefalo@idwr.idaho.gov); Peck, Gary <[gpeck@idahopower.com](mailto:gpeck@idahopower.com)>; [Flo.Ghighina@itd.idaho.gov](mailto:Flo.Ghighina@itd.idaho.gov); Corey Krantz <[Corey.Krantz@itd.idaho.gov](mailto:Corey.Krantz@itd.idaho.gov)>; [james.murphy@intgas.com](mailto:james.murphy@intgas.com); Colborn, Phillip <[phillip.colborn@intgas.com](mailto:phillip.colborn@intgas.com)>; [portneufswcd@gmail.com](mailto:portneufswcd@gmail.com); [ryan.cook@rockymountainpower.net](mailto:ryan.cook@rockymountainpower.net); Christ, Russ <[Russell.Christ@sparklight.biz](mailto:Russell.Christ@sparklight.biz)>; [kim.obebe@usda.gov](mailto:kim.obebe@usda.gov); Joyner, James M CIV USARMY CENWW (USA) <[James.M.Joyner@usace.army.mil](mailto:James.M.Joyner@usace.army.mil)>; [nate.matlack@usda.gov](mailto:nate.matlack@usda.gov); [michael.rieske@williams.com](mailto:michael.rieske@williams.com); [mrfb62@aol.com](mailto:mrfb62@aol.com); [downeyfirechief@gmail.com](mailto:downeyfirechief@gmail.com); [johnny.ketner@tax.idaho.gov](mailto:johnny.ketner@tax.idaho.gov); [mmiller@cityofchubbuck.us](mailto:mmiller@cityofchubbuck.us); [kirk398@gmail.com](mailto:kirk398@gmail.com); [mccammonchief@gmail.com](mailto:mccammonchief@gmail.com); [jrfarnsworth@yahoo.com](mailto:jrfarnsworth@yahoo.com); [spencer.k850@gmail.com](mailto:spencer.k850@gmail.com); [mori@bannockplanning.org](mailto:mori@bannockplanning.org); Rodney Burch <[rburch@cityofchubbuck.us](mailto:rburch@cityofchubbuck.us)>; [rthompson@sbtribes.com](mailto:rthompson@sbtribes.com); Timothy Gardner <[timothy.gardner@bia.gov](mailto:timothy.gardner@bia.gov)>; [Martin.Sorenson@bia.gov](mailto:Martin.Sorenson@bia.gov); [reedba@sd25.us](mailto:reedba@sd25.us); [howelldo@sd25.us](mailto:howelldo@sd25.us); Holly Jackson <[holly.jackson@portneuflibrary.org](mailto:holly.jackson@portneuflibrary.org)>; [josh.barnes@portneuflibrary.org](mailto:josh.barnes@portneuflibrary.org); Dannis Adamson <[dannisadamson@gmail.com](mailto:dannisadamson@gmail.com)>; Michael Jaglowski <[mjaglowski@bannockcounty.us](mailto:mjaglowski@bannockcounty.us)>**Subject:** [Non-DoD Source] Westfield Estates Div 4 thru 8

To Whom it may concern

Please see the attached agency request letter.

Brady M. Smith   Operations Manager   <a href="mailto:brady@rmes.biz">brady@rmes.biz</a>   o 208.234.0110   c 208.705.0798   <input type="checkbox"/> <input type="checkbox"/> <a href="http://rmes.biz">rmes.biz</a>	
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**Agency Letter-Westfield 4-8\_6.4.21.pdf**  
417K



Brady Smith <brady@rmes.biz>

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## Automatic reply: Westfield Estates Div 4 thru 8

1 message

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**Gary Billman** <GBillman@idl.idaho.gov>

Tue, Jun 8, 2021 at 4:53 PM

To: Brady Smith <brady@rmes.biz>

I am out of the office until 6/14/21. I will check my emails and return calls when I am able. Should you need immediate assistance, please contact our main office at (208) 525-7167.



Brady Smith &lt;brady@rmes.biz&gt;

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**RE: Westfield Estates Div 4 thru 8**

1 message

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**Gary Billman** <GBillman@idl.idaho.gov>

Mon, Jun 14, 2021 at 7:34 AM

To: Brady Smith &lt;brady@rmes.biz&gt;

The Idaho Department of Lands has no comments

Gary Billman, PG

Senior Resource Specialist/Geologist

Minerals Management

Easter Supervisory Area

3563 Ririe Hwy

Idaho Falls, ID 83401

P: (208) 525-7167

F: (208) 525-7011

---

**From:** Brady Smith <brady@rmes.biz>**Sent:** Tuesday, June 8, 2021 4:53 PM**To:** sdavies@bannockcounty.us; Jeremy Messick <jeremym@bannockcounty.us>; Kiel Burmester <kielb@bannockcounty.us>; Bollinger, David <david.bollinger@bia.gov>; hsanger@pocatello.us; kkeller@phd6.idaho.gov; McCauley.Margaret@epa.gov; ahill@sbtribes.com; Gary Billman <GBillman@idl.idaho.gov>; IDL\_Jurisdictional <IDL\_Jurisdictional@idl.idaho.gov>; Pat Brown <pbrown@idl.idaho.gov>; bruce.olenick@deq.idaho.gov; allan.johnson@deq.idaho.gov; Johnson,Becky <becky.johnson@idfg.idaho.gov>; james.cefalo@idwr.idaho.gov; Peck, Gary <gpeck@idahopower.com>; Flo.Ghghina@itd.idaho.gov; Corey Krantz <Corey.Krantz@itd.idaho.gov>; james.murphy@intgas.com; Colborn, Phillip <phillip.colborn@intgas.com>; portneufswcd@gmail.com; ryan.cook@rockymountainpower.net; Christ, Russ <Russell.Christ@sparklight.biz>; kim.obele@usda.gov; nate.matlack@usda.gov; michael.rieske@williams.com; mrfb62@aol.com; downeyfirechief@gmail.com; johnny.ketner@tax.idaho.gov; mmiller@cityofchubbuck.us; kirk398@gmail.com; mccammonchief@gmail.com; jrfarnsworth@yahoo.com; spencer.k850@gmail.com; mori@bannockplanning.org; Rodney Burch <rburch@cityofchubbuck.us>; rthompson@sbtribes.com; reedba@sd25.us; howelldo@sd25.us; Holly Jackson <holly.jackson@portneuflibrary.org>; josh.barnes@portneuflibrary.org; Dannis Adamson <dannisadamson@gmail.com>; Michael Jaglowski <mjaglowski@bannockcounty.us>**Subject:** Re: Westfield Estates Div 4 thru 8

To Whom it may concern

Please see the attached agency request letter. This is our final attempt to request any feedback from you on our project. Please let us know by the end of the day Monday June 14th if you have any comments or concerns.

Thank you

Brady M. Smith   Operations Manager   <a href="mailto:brady@rmes.biz">brady@rmes.biz</a>   o 208.234.0110   c 208.705.0798	<a href="http://rmes.biz">rmes.biz</a>
<b>Focused on Solutions</b>	
<i>Acceptance and use of any and all electronically transmitted information and/or drawings indicates the Recipient's agreement to the following terms and conditions: <a href="#">Click for Full Electronic Document agreement</a></i>	

On Fri, Jun 4, 2021 at 8:31 PM Brady Smith <[brady@rmes.biz](mailto:brady@rmes.biz)> wrote:

To Whom it may concern

Please see the attached agency request letter.

Brady M. Smith   Operations Manager   <a href="mailto:brady@rmes.biz">brady@rmes.biz</a>   o 208.234.0110   c 208.705.0798	<a href="http://rmes.biz">rmes.biz</a>
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 Subject: Westfield Estates Div 4 thru 8

To: <sdavies@bannockcounty.us>, Jeremy Messick <jeremym@bannockcounty.us>,  
 Kiel Burmester <kielb@bannockcounty.us>, "Bollinger, David"  
 <david.bollinger@bia.gov>, "Miller, Danny K" <dkmiller@blm.gov>,  
 <mdwarren@blm.gov>, <hsanger@pocatello.us>, <kkeller@phd6.idaho.gov>,  
 <McCauley.Margaret@epa.gov>, <ahill@sbtribes.com>, <gbillman@idl.idaho.gov>,  
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 <allan.johnson@deq.idaho.gov>, "Johnson, Becky"  
 <becky.johnson@idfg.idaho.gov>, <james.cefalo@idwr.idaho.gov>, "Peck, Gary"  
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 <Corey.Krantz@itd.idaho.gov>, <james.murphy@intgas.com>, "Colborn, Phillip"  
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 <ryan.cook@rockymountainpower.net>, "Christ, Russ"  
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 USARMY CENWW (USA)" <james.m.joyner@usace.army.mil>, <nate.matlack@usda.gov>,  
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 <rburch@cityofchubbuck.us>, <rthompson@sbtribes.com>, Timothy Gardner  
 <timothy.gardner@bia.gov>, <Martin.Sorenson@bia.gov>, <reedba@sd25.us>,  
 <howelldo@sd25.us>, Holly Jackson <holly.jackson@portneuflibrary.org>,  
 <josh.barnes@portneuflibrary.org>, Dannis Adamson <dannisadamson@gmail.com>,  
 Michael Jaglowski <mjaglowski@bannockcounty.us>

Content-Type: multipart/mixed; boundary="0000000000000c6a0205c3fb9df7"  
 Return-Path: brady@rmes.biz

Final-Recipient: rfc822;Wendy.Prather@deq.idaho.gov  
 Action: failed  
 Status: 5.1.10  
 Diagnostic-Code: smtp;550 5.1.10 RESOLVER.ADR.RecipientNotFound; Recipient not found by SMTP address  
 lookup

----- Forwarded message -----

From: Brady Smith <brady@rmes.biz>  
 To: <sdavies@bannockcounty.us>, Jeremy Messick <jeremym@bannockcounty.us>, Kiel Burmester  
 <kielb@bannockcounty.us>, "Bollinger, David" <david.bollinger@bia.gov>, "Miller, Danny K" <dkmiller@blm.gov>,  
 <mdwarren@blm.gov>, <hsanger@pocatello.us>, <kkeller@phd6.idaho.gov>, <McCauley.Margaret@epa.gov>,  
 <ahill@sbtribes.com>, <gbillman@idl.idaho.gov>, <IDL\_jurisdictional@idl.idaho.gov>, Pat Brown  
 <pbrown@idl.idaho.gov>, <bruce.olenick@deq.idaho.gov>, <Wendy.Prather@deq.idaho.gov>,  
 <allan.johnson@deq.idaho.gov>, "Johnson, Becky" <becky.johnson@idfg.idaho.gov>,

<james.cefalo@idwr.idaho.gov>, "Peck, Gary" <gpeck@idahopower.com>, <Flo.Ghighina@itd.idaho.gov>, Corey Krantz <Corey.Krantz@itd.idaho.gov>, <james.murphy@intgas.com>, "Colborn, Phillip" <phillip.colborn@intgas.com>, <portneufswcd@gmail.com>, <ryan.cook@rockymountainpower.net>, "Christ, Russ" <Russell.Christ@sparklight.biz>, <kim.obebe@usda.gov>, "Joyner, James M CIV USARMY CENWW (USA)" <james.m.joyner@usace.army.mil>, <nate.matlack@usda.gov>, <michael.rieske@williams.com>, <mrfb62@aol.com>, <downeyfirechief@gmail.com>, <johnny.ketner@tax.idaho.gov>, <mmiller@cityofchubbuck.us>, <kirk398@gmail.com>, <mccammonchief@gmail.com>, <jrfarnsworth@yahoo.com>, <spencer.k850@gmail.com>, <mori@bannockplanning.org>, Rodney Burch <rburch@cityofchubbuck.us>, <rthompson@sbtribes.com>, Timothy Gardner <timothy.gardner@bia.gov>, <Martin.Sorenson@bia.gov>, <reedba@sd25.us>, <howelldo@sd25.us>, Holly Jackson <holly.jackson@portneuflibrary.org>, <josh.barnes@portneuflibrary.org>, Dannis Adamson <dannisadamson@gmail.com>, Michael Jaglowski <mjaglowski@bannockcounty.us>

Cc:

Bcc:

Date: Fri, 4 Jun 2021 20:31:51 -0600

Subject: Westfield Estates Div 4 thru 8

To Whom it may concern

Please see the attached agency request letter.



Brady M. Smith | Operations Manager | [brady@rmes.biz](mailto:brady@rmes.biz) | o 208.234.0110 | c 208.705.0798 |

[rmes.biz](http://rmes.biz)

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**Agency Letter-Westfield 4-8\_6.4.21.pdf**  
417K



Brady Smith &lt;brady@rmes.biz&gt;

---

**Re: [EXTERNAL] Westfield Estates Div 4 thru 8**

1 message

**Sorenson, Martin W** <Martin.Sorenson@bia.gov>

Mon, Jun 7, 2021 at 8:57 AM

To: Brady Smith &lt;brady@rmes.biz&gt;

Cc: "Gardner, Timothy J" &lt;Timothy.Gardner@bia.gov&gt;, "Bollinger, David" &lt;David.Bollinger@bia.gov&gt;

Good morning,

I don't see any new impacts to us. The notes used on the prior Westfield Estates plats should be sufficient.

Thanks,

Martin Sorenson M.S., P.E.

Civil Engineer

DOI: BIA - Fort Hall Irrigation Project

---

**From:** Brady Smith <brady@rmes.biz>**Sent:** Friday, June 4, 2021 8:31 PM**To:** [sdavies@bannockcounty.us](mailto:sdavies@bannockcounty.us) <[sdavies@bannockcounty.us](mailto:sdavies@bannockcounty.us)>; [Jeremy Messick <Jeremy.Messick@bannockcounty.us>](mailto:Jeremy.Messick@bannockcounty.us); [Kiel Burmester <Kiel.Burmester@bannockcounty.us>](mailto:Kiel.Burmester@bannockcounty.us); [Bollinger, David <David.Bollinger@bia.gov>](mailto:David.Bollinger@bia.gov); [Miller, Danny K <dkmiller@blm.gov>](mailto:dkmiller@blm.gov); [Warren, Melissa D <mdwarren@blm.gov>](mailto:mdwarren@blm.gov); [hsanger@pocatello.us](mailto:hsanger@pocatello.us) <[hsanger@pocatello.us](mailto:hsanger@pocatello.us)>; [kkeller@phd6.idaho.gov](mailto:kkeller@phd6.idaho.gov) <[kkeller@phd6.idaho.gov](mailto:kkeller@phd6.idaho.gov)>; [McCauley.Margaret@epa.gov](mailto:McCauley.Margaret@epa.gov) <[McCauley.Margaret@epa.gov](mailto:McCauley.Margaret@epa.gov)>; [ahill@sbtribes.com](mailto:ahill@sbtribes.com) <[ahill@sbtribes.com](mailto:ahill@sbtribes.com)>; [Gary Billman <GBillman@idl.idaho.gov>](mailto:GBillman@idl.idaho.gov); [IDL\\_jurisdictional@idl.idaho.gov](mailto:IDL_jurisdictional@idl.idaho.gov) <[IDL\\_jurisdictional@idl.idaho.gov](mailto:IDL_jurisdictional@idl.idaho.gov)>; [pbrown@idl.idaho.gov1](mailto:pbrown@idl.idaho.gov1) <[pbrown@idl.idaho.gov1](mailto:pbrown@idl.idaho.gov1)>; [bruce.olenick@deq.idaho.gov](mailto:bruce.olenick@deq.idaho.gov) <[bruce.olenick@deq.idaho.gov](mailto:bruce.olenick@deq.idaho.gov)>; [Wendy.Prather@deq.idaho.gov](mailto:Wendy.Prather@deq.idaho.gov) <[Wendy.Prather@deq.idaho.gov](mailto:Wendy.Prather@deq.idaho.gov)>; [allan.johnson@deq.idaho.gov](mailto:allan.johnson@deq.idaho.gov) <[allan.johnson@deq.idaho.gov](mailto:allan.johnson@deq.idaho.gov)>; [becky.johnson@idfg.idaho.gov](mailto:becky.johnson@idfg.idaho.gov); [james.cefalo@idwr.idaho.gov](mailto:james.cefalo@idwr.idaho.gov) <[james.cefalo@idwr.idaho.gov](mailto:james.cefalo@idwr.idaho.gov)>; [Peck, Gary <gpeck@idahopower.com>](mailto:gpeck@idahopower.com); [Flo.Ghighina@itd.idaho.gov](mailto:Flo.Ghighina@itd.idaho.gov) <[Flo.Ghighina@itd.idaho.gov](mailto:Flo.Ghighina@itd.idaho.gov)>; [Corey Krantz <Corey.Krantz@itd.idaho.gov>](mailto:Corey.Krantz@itd.idaho.gov); [james.murphy@intgas.com](mailto:james.murphy@intgas.com) <[james.murphy@intgas.com](mailto:james.murphy@intgas.com)>; [Colborn, Phillip <phillip.colborn@intgas.com>](mailto:phillip.colborn@intgas.com); [portneufswcd@gmail.com](mailto:portneufswcd@gmail.com) <[portneufswcd@gmail.com](mailto:portneufswcd@gmail.com)>; [ryan.cook@rockymountainpower.net](mailto:ryan.cook@rockymountainpower.net) <[ryan.cook@rockymountainpower.net](mailto:ryan.cook@rockymountainpower.net)>; [Christ, Russ <Russell.Christ@sparklight.biz>](mailto:Russell.Christ@sparklight.biz); [kim.obeles@usda.gov](mailto:kim.obeles@usda.gov) <[kim.obeles@usda.gov](mailto:kim.obeles@usda.gov)>; [Joyner, James M CIV USARMY CENWW \(USA\) <James.M.CIV.USARMY.CENWW@usace.army.mil>](mailto:James.M.CIV.USARMY.CENWW@usace.army.mil); [nate.matlack@usda.gov](mailto:nate.matlack@usda.gov) <[nate.matlack@usda.gov](mailto:nate.matlack@usda.gov)>; [michael.rieske@williams.com](mailto:michael.rieske@williams.com) <[michael.rieske@williams.com](mailto:michael.rieske@williams.com)>; [mrfb62@aol.com](mailto:mrfb62@aol.com) <[mrfb62@aol.com](mailto:mrfb62@aol.com)>; [downeyfirechief@gmail.com](mailto:downeyfirechief@gmail.com) <[downeyfirechief@gmail.com](mailto:downeyfirechief@gmail.com)>; [johnny.ketner@tax.idaho.gov](mailto:johnny.ketner@tax.idaho.gov) <[johnny.ketner@tax.idaho.gov](mailto:johnny.ketner@tax.idaho.gov)>; [mmiller@cityofchubbuck.us](mailto:mmiller@cityofchubbuck.us) <[mmiller@cityofchubbuck.us](mailto:mmiller@cityofchubbuck.us)>; [kirk398@gmail.com](mailto:kirk398@gmail.com) <[kirk398@gmail.com](mailto:kirk398@gmail.com)>; [mccammonchief@gmail.com](mailto:mccammonchief@gmail.com) <[mccammonchief@gmail.com](mailto:mccammonchief@gmail.com)>; [jrfarnsworth@yahoo.com](mailto:jrfarnsworth@yahoo.com) <[jrfarnsworth@yahoo.com](mailto:jrfarnsworth@yahoo.com)>; [spencer.k850@gmail.com](mailto:spencer.k850@gmail.com) <[spencer.k850@gmail.com](mailto:spencer.k850@gmail.com)>; [mori@bannockplanning.org](mailto:mori@bannockplanning.org) <[mori@bannockplanning.org](mailto:mori@bannockplanning.org)>; [Rodney Burch <rburch@cityofchubbuck.us>](mailto:rburch@cityofchubbuck.us); [rthompson@sbtribes.com](mailto:rthompson@sbtribes.com) <[rthompson@sbtribes.com](mailto:rthompson@sbtribes.com)>; [Gardner, Timothy J <Timothy.Gardner@bia.gov>](mailto:Timothy.Gardner@bia.gov); [Sorenson, Martin W <Martin.Sorenson@bia.gov>](mailto:Martin.Sorenson@bia.gov); [reedba@sd25.us](mailto:reedba@sd25.us) <[reedba@sd25.us](mailto:reedba@sd25.us)>; [howelldo@sd25.us](mailto:howelldo@sd25.us) <[howelldo@sd25.us](mailto:howelldo@sd25.us)>; [Holly Jackson <holly.jackson@portneuflibrary.org>](mailto:holly.jackson@portneuflibrary.org); [josh.barnes@portneuflibrary.org](mailto:josh.barnes@portneuflibrary.org) <[josh.barnes@portneuflibrary.org](mailto:josh.barnes@portneuflibrary.org)>; [Dannis Adamson <dannisadamson@gmail.com>](mailto:dannisadamson@gmail.com); [Michael Jaglowski](mailto:Michael.Jaglowski@portneuflibrary.org)

<mjaglowski@bannockcounty.us>

**Subject:** [EXTERNAL] Westfield Estates Div 4 thru 8

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To Whom it may concern

Please see the attached agency request letter.

Brady M. Smith | Operations Manager |  
[brady@rmes.biz](mailto:brady@rmes.biz) | o 208.234.0110 | c 208.705.0798

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Brady Smith &lt;brady@rmes.biz&gt;

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**RE: [EXTERNAL]Re: Westfield Estates Div 4 thru 8**

1 message

**Peck, Gary** <GPeck@idahopower.com>

Tue, Jun 8, 2021 at 4:58 PM

To: Brady Smith &lt;brady@rmes.biz&gt;

To whom it may concern: there are no concerns with respect to providing power to the parcel of property.

Gary J. Peck

Distribution Designer

Off - 208-236-7734 Cell - 208-313-7734

[gpeck@idahopower.com](mailto:gpeck@idahopower.com)**From:** Brady Smith <brady@rmes.biz>**Sent:** Tuesday, June 8, 2021 4:53 PM**To:** sdavies@bannockcounty.us; Jeremy Messick <jeremym@bannockcounty.us>; Kiel Burmester <kielb@bannockcounty.us>; Bollinger, David <david.bollinger@bia.gov>; hsanger@pocatello.us; kkeller@phd6.idaho.gov; McCauley,Margaret@epa.gov; ahill@sbtribes.com; gbillman@idl.idaho.gov; IDL\_jurisdictional@idl.idaho.gov; Pat Brown <pbrown@idl.idaho.gov>; bruce.olenick@deq.idaho.gov; allan.johnson@deq.idaho.gov; Johnson,Becky <becky.johnson@idfg.idaho.gov>; james.cefalo@idwr.idaho.gov; Peck, Gary <GPeck@idahopower.com>; Flo.Ghghina@itd.idaho.gov; Corey Krantz <Corey.Krantz@itd.idaho.gov>; james.murphy@intgas.com; Colborn, Phillip <phillip.colborn@intgas.com>; portneufswcd@gmail.com; ryan.cook@rockymountainpower.net; Christ, Russ <Russell.Christ@sparklight.biz>; kim.obebe@usda.gov; nate.matlack@usda.gov; michael.rieske@williams.com; mrfb62@aol.com; downeyfirechief@gmail.com; johnny.ketner@tax.idaho.gov; mmiller@cityofchubbuck.us; kirk398@gmail.com; mccammonchief@gmail.com; jrfarnsworth@yahoo.com; spencer.k850@gmail.com; mori@bannockplanning.org; Rodney Burch <rburch@cityofchubbuck.us>; rthompson@sbtribes.com; reedba@sd25.us; howelldo@sd25.us; Holly Jackson <holly.jackson@portneuflibrary.org>; josh.barnes@portneuflibrary.org; Dannis Adamson <dannisadamson@gmail.com>; Michael Jaglowski <mjaglowski@bannockcounty.us>**Subject:** [EXTERNAL]Re: Westfield Estates Div 4 thru 8

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To Whom it may concern

Bannock County Planning &amp; Development Council

March 18, 2026

Page 99 of 159

Please see the attached agency request letter. This is our final attempt to request any feedback from you on our project. Please let us know by the end of the day Monday June 14th if you have any comments or concerns.

Thank you


Brady M. Smith   Operations Manager   <a href="mailto:brady@rmes.biz">brady@rmes.biz</a>   o 208.234.0110   c 208.705.0798     <a href="http://rmes.biz">rmes.biz</a>
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On Fri, Jun 4, 2021 at 8:31 PM Brady Smith <[brady@rmes.biz](mailto:brady@rmes.biz)> wrote:

To Whom it may concern

Please see the attached agency request letter.


Brady M. Smith   Operations Manager   <a href="mailto:brady@rmes.biz">brady@rmes.biz</a>   o 208.234.0110   c 208.705.0798     <a href="http://rmes.biz">rmes.biz</a>
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**IDAHO TRANSPORTATION DEPARTMENT**

Division of Aeronautics  
3483 Rickenbacker Street • Boise ID 83705

(208) 334-8775  
[itd.idaho.gov/aero](http://itd.idaho.gov/aero)

---

June 8, 2021

FAA Study Nr: N/A

Brady Smith - RMES  
600 E Oak St.  
Pocatello, ID 83201

SUBJECT: Westfield Estates – 41.01 Acres Development

Dear Brady Smith,

I received your emails and the drawings for the Westfield Estates Project. Under the authority of the Idaho Code 21-513 through 21-520 and Idaho Transportation Rule No. 39.04.02, the Division of Aeronautics has performed an aeronautical study/obstruction evaluation for the proposed project identified above. It is our determination that this development, at the location given, will not be a hazard to air navigation or air traffic operations in the Pocatello Airport and the immediate surrounding areas.

The Idaho State Division of Aeronautics has no objection to the project.

Sincerely,

*Florian Ghighina*

FLO GHIGHINA  
Airport Inspector/Obstructions Evaluator  
208-334-8895

cc: Michael Jaglowski, P.E.  
Bannock County Representative



Brady Smith &lt;brady@rmes.biz&gt;

---

**RE: [EXTERNAL] Re: Westfield Estates Div 4 thru 8**

1 message

**Flo Ghighina** <Flo.Ghighina@itd.idaho.gov>

Tue, Jun 8, 2021 at 5:23 PM

To: Brady Smith &lt;brady@rmes.biz&gt;

Cc: "mjaglawski@bannockcounty.us" &lt;mjaglawski@bannockcounty.us&gt;

Dear Brady Smith,

as a one-time courtesy, here is the letter you requested in ref. to Westfield Estates. Be advised that in the future this office requires a min of 30 days notice in order to process this type of requests and conduct an obstruction evaluation/aeronautical study on new proposed developments. Thank you for your understanding and have a great day.

*Flo Ghighina***Flo Ghighina****Airport Inspector/Obstructions Evaluator****Division of Aeronautics**

1390 West Gowen Rd.

Boise, ID 83705

Office: 208-334-8895

Fax: 208-334-8789

---

**From:** Brady Smith <brady@rmes.biz>**Sent:** Tuesday, June 08, 2021 4:53 PM**To:** sdavies@bannockcounty.us; Jeremy Messick <jeremym@bannockcounty.us>; Kiel Burmester <kielb@bannockcounty.us>; Bollinger, David <david.bollinger@bia.gov>; hsanger@pocatello.us; kkeller@phd6.idaho.gov; McCauley.Margaret@epa.gov; ahill@sbtribes.com; gbillman@idl.idaho.gov; IDL\_jurisdictional@idl.idaho.gov; Pat Brown <pbrown@idl.idaho.gov>; bruce.olenick@deq.idaho.gov; allan.johnson@deq.idaho.gov; Johnson,Becky <becky.johnson@idfg.idaho.gov>; james.cefalo@idwr.idaho.gov; Peck, Gary <gpeck@idahopower.com>; Flo Ghighina

<Flo.Ghigina@itd.idaho.gov>; Corey Krantz <Corey.Krantz@itd.idaho.gov>; james.murphy@intgas.com; Colborn, Phillip <phillip.colborn@intgas.com>; portneufswcd@gmail.com; ryan.cook@rockymountainpower.net; Christ, Russ <Russell.Christ@sparklight.biz>; kim.obele@usda.gov; nate.matlack@usda.gov; michael.rieske@williams.com; mrfb62@aol.com; downeyfirechief@gmail.com; johnny.ketner@tax.idaho.gov; mmiller@cityofchubbuck.us; kirk398@gmail.com; mccammonchief@gmail.com; jrfarnsworth@yahoo.com; spencer.k850@gmail.com; Mori Byington <Mori@bannockplanning.org>; Rodney Burch <rburch@cityofchubbuck.us>; rthompson@sbtribes.com; reedba@sd25.us; howelldo@sd25.us; Holly Jackson <holly.jackson@portneuflibrary.org>; josh.barnes@portneuflibrary.org; Dannis Adamson <dannisadamson@gmail.com>; Michael Jaglowski <mjaglowski@bannockcounty.us>

**Subject:** [EXTERNAL] Re: Westfield Estates Div 4 thru 8

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To Whom it may concern

Please see the attached agency request letter. This is our final attempt to request any feedback from you on our project. Please let us know by the end of the day Monday June 14th if you have any comments or concerns.

Thank you


Brady M. Smith   Operations Manager   <a href="mailto:brady@rmes.biz">brady@rmes.biz</a>   o 208.234.0110   c 208.705.0798     <a href="http://rmes.biz">rmes.biz</a>
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On Fri, Jun 4, 2021 at 8:31 PM Brady Smith <[brady@rmes.biz](mailto:brady@rmes.biz)> wrote:

To Whom it may concern

Please see the attached agency request letter.


Brady M. Smith   Operations Manager   <a href="mailto:brady@rmes.biz">brady@rmes.biz</a>   o 208.234.0110   c 208.705.0798     <a href="http://rmes.biz">rmes.biz</a>

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109K



Brady Smith &lt;brady@rmes.biz&gt;

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**RE: Westfield Estates Div 4 thru 8**

1 message

**Christ, Russ** <Russell.Christ@sparklight.biz>

Wed, Jun 9, 2021 at 7:10 AM

To: Brady Smith &lt;brady@rmes.biz&gt;

I have no comments or concerns for this project.

Thank you,

**Russell Christ**Construction Coordinator | **Sparklight**

T: 208-223-0648

204 W Alameda Rd

Pocatello, ID 83201

[russell.christ@sparklight.biz](mailto:russell.christ@sparklight.biz)

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**From:** Brady Smith <brady@rmes.biz>**Sent:** Tuesday, June 8, 2021 4:53 PM**To:** [sdavies@bannockcounty.us](mailto:sdavies@bannockcounty.us); Jeremy Messick <[jeremym@bannockcounty.us](mailto:jeremym@bannockcounty.us)>; Kiel Burmester <[kielb@bannockcounty.us](mailto:kielb@bannockcounty.us)>; Bollinger, David <[david.bollinger@bia.gov](mailto:david.bollinger@bia.gov)>; [hsanger@pocatello.us](mailto:hsanger@pocatello.us); [kkeller@phd6.idaho.gov](mailto:kkeller@phd6.idaho.gov); [McCauley.Margaret@epa.gov](mailto:McCauley.Margaret@epa.gov); [ahill@sbtribes.com](mailto:ahill@sbtribes.com); [gbillman@idl.idaho.gov](mailto:gbillman@idl.idaho.gov); [IDL\\_jurisdictional@idl.idaho.gov](mailto:IDL_jurisdictional@idl.idaho.gov); Pat Brown <[pbrown@idl.idaho.gov](mailto:pbrown@idl.idaho.gov)>; [bruce.olenick@deq.idaho.gov](mailto:bruce.olenick@deq.idaho.gov); [allan.johnson@deq.idaho.gov](mailto:allan.johnson@deq.idaho.gov); Johnson,Becky <[becky.johnson@idfg.idaho.gov](mailto:becky.johnson@idfg.idaho.gov)>; [james.cefalo@idwr.idaho.gov](mailto:james.cefalo@idwr.idaho.gov); Peck, Gary <[gpeck@idahopower.com](mailto:gpeck@idahopower.com)>; [Flo.Ghighina@itd.idaho.gov](mailto:Flo.Ghighina@itd.idaho.gov); Corey Krantz <[Corey.Krantz@itd.idaho.gov](mailto:Corey.Krantz@itd.idaho.gov)>; [james.murphy@intgas.com](mailto:james.murphy@intgas.com); Colborn, Phillip <[phillip.colborn@intgas.com](mailto:phillip.colborn@intgas.com)>; [portneufswcd@gmail.com](mailto:portneufswcd@gmail.com); [ryan.cook@rockymountainpower.net](mailto:ryan.cook@rockymountainpower.net); Christ, Russ <[Russell.Christ@sparklight.biz](mailto:Russell.Christ@sparklight.biz)>; [kim.obebe@usda.gov](mailto:kim.obebe@usda.gov); [nate.matlack@usda.gov](mailto:nate.matlack@usda.gov); [michael.rieske@williams.com](mailto:michael.rieske@williams.com); [mrfb62@aol.com](mailto:mrfb62@aol.com); [downeyfirechief@gmail.com](mailto:downeyfirechief@gmail.com); [johnny.ketner@tax.idaho.gov](mailto:johnny.ketner@tax.idaho.gov); [mmiller@cityofchubbuck.us](mailto:mmiller@cityofchubbuck.us); [kirk398@gmail.com](mailto:kirk398@gmail.com); [mccammonchief@gmail.com](mailto:mccammonchief@gmail.com); [jrfarnsworth@yahoo.com](mailto:jrfarnsworth@yahoo.com); [spencer.k850@gmail.com](mailto:spencer.k850@gmail.com); [mori@bannockplanning.org](mailto:mori@bannockplanning.org); Rodney Burch <[rburch@cityofchubbuck.us](mailto:rburch@cityofchubbuck.us)>; [rthompson@sbtribes.com](mailto:rthompson@sbtribes.com); [reedba@sd25.us](mailto:reedba@sd25.us); [howelldo@sd25.us](mailto:howelldo@sd25.us); Holly Jackson <[holly.jackson@portneuflibrary.org](mailto:holly.jackson@portneuflibrary.org)>; [josh.barnes@portneuflibrary.org](mailto:josh.barnes@portneuflibrary.org); Dannis Adamson <[dannisadamson@gmail.com](mailto:dannisadamson@gmail.com)>; Michael Jaglowski <[mjaglowski@bannockcounty.us](mailto:mjaglowski@bannockcounty.us)>**Subject:** Re: Westfield Estates Div 4 thru 8

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To Whom it may concern

Please see the attached agency request letter. This is our final attempt to request any feedback from you on our project. Please let us know by the end of the day Monday June 14th if you have any comments or concerns.

Thank you

Brady M. Smith   Operations Manager   <a href="mailto:brady@rmes.biz">brady@rmes.biz</a>   o 208.234.0110   c 208.705.0798   <a href="http://rmes.biz">rmes.biz</a>
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On Fri, Jun 4, 2021 at 8:31 PM Brady Smith <[brady@rmes.biz](mailto:brady@rmes.biz)> wrote:

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Brady Smith &lt;brady@rmes.biz&gt;

---

**RE: [External Email]Re: Westfield Estates Div 4 thru 8**

1 message

---

**Obele, Kim -FS** <kim.obele@usda.gov>  
To: Brady Smith <brady@rmes.biz>

Tue, Jun 8, 2021 at 4:58 PM

No comments

**Kim A. Obele**  
District Ranger**USDA Forest Service****Caribou-Targhee National Forest****Curlew National Grassland****Westside Ranger District****p: 208-236-7510**  
**c: 208-220-9710**  
**f: 208-236-7555**  
[kim.obele@usda.gov](mailto:kim.obele@usda.gov)

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---

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Bannock County Planning &amp; Development Council

March 18, 2026

Page 107 of 159

michael.rieske@williams.com; mrfb62@aol.com; downeyfirechief@gmail.com; johnny.ketner@tax.idaho.gov; mmiller@cityofchubbuck.us; kirk398@gmail.com; mccammonchief@gmail.com; jrfarnsworth@yahoo.com; spencer.k850@gmail.com; mori@bannockplanning.org; Rodney Burch <rburch@cityofchubbuck.us>; rthompson@sbtribes.com; reedba@sd25.us; howelldo@sd25.us; Holly Jackson <holly.jackson@portneuflibrary.org>; josh.barnes@portneuflibrary.org; Dannis Adamson <dannisadamson@gmail.com>; Michael Jaglowski <mjaglowski@bannockcounty.us>

**Subject:** [External Email]Re: Westfield Estates Div 4 thru 8

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Thank you


Brady M. Smith   Operations Manager   <a href="mailto:brady@rmes.biz">brady@rmes.biz</a>   o 208.234.0110   c 208.705.0798     <a href="http://rmes.biz">rmes.biz</a>
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Brady Smith &lt;brady@rmes.biz&gt;

---

**RE: [External Email]Westfield Estates Div 4 thru 8**

1 message

**Obele, Kim -FS** <kim.obele@usda.gov>

Sun, Jun 13, 2021 at 7:23 PM

To: Brady Smith &lt;brady@rmes.biz&gt;

No comments

**Kim A. Obele**  
District Ranger**USDA Forest Service****Caribou-Targhee National Forest****Curlew National Grassland****Westside Ranger District**

p: 208-236-7510

c: 208-220-9710

f: 208-236-7555

[kim.obele@usda.gov](mailto:kim.obele@usda.gov)

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Pocatello, ID 83204

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---

**From:** Brady Smith <brady@rmes.biz>**Sent:** Friday, June 4, 2021 8:32 PM**To:** sdavies@bannockcounty.us; Jeremy Messick <jeremym@bannockcounty.us>; Kiel Burmester <kielb@bannockcounty.us>; Bollinger, David <david.bollinger@bia.gov>; Miller, Danny K <dkmiller@blm.gov>; mdwarren@blm.gov; hsanger@pocatello.us; kkeller@phd6.idaho.gov; McCauley.Margaret@epa.gov; ahill@sbtribes.com; gbillman@idl.idaho.gov; IDL\_jurisdictional@idl.idaho.gov; Pat Brown <pbrown@idl.idaho.gov>; bruce.olenick@deq.idaho.gov; Wendy.Prather@deq.idaho.gov; allan.johnson@deq.idaho.gov; Johnson,Becky <becky.johnson@idfg.idaho.gov>; james.cefalo@idwr.idaho.gov; Peck, Gary <gpeck@idahopower.com>; Flo.Ghighina@itd.idaho.gov; Corey Krantz <Corey.Krantz@itd.idaho.gov>; james.murphy@intgas.com; Colborn, Phillip <phillip.colborn@intgas.com>; portneufswcd@gmail.com; ryan.cook@rockymountainpower.net; Christ, Russ <Russell.Christ@sparklight.biz>; Obele, Kim -FS <kim.obele@usda.gov>; Joyner, James M CIV USARMY CENWWW

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March 18, 2026

Page 110 of 159

(USA) <james.m.joyner@usace.army.mil>; Matlack, Nate - NRCS, Riverton, WY <nate.matlack@usda.gov>; michael.rieske@williams.com; mrfb62@aol.com; downeyfirechief@gmail.com; johnny.ketner@tax.idaho.gov; mmiller@cityofchubbuck.us; kirk398@gmail.com; mccammonchief@gmail.com; jrfarnsworth@yahoo.com; spencer.k850@gmail.com; mori@bannockplanning.org; Rodney Burch <rburch@cityofchubbuck.us>; rthompson@sbtribes.com; Timothy Gardner <timothy.gardner@bia.gov>; Martin.Sorenson@bia.gov; reedba@sd25.us; howelldo@sd25.us; Holly Jackson <holly.jackson@portneuflibrary.org>; josh.barnes@portneuflibrary.org; Dannis Adamson <dannisadamson@gmail.com>; Michael Jaglowski <mjaglowski@bannockcounty.us>

**Subject:** [External Email]Westfield Estates Div 4 thru 8

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To Whom it may concern

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Brady M. Smith | Operations Manager | [brady@rmes.biz](mailto:brady@rmes.biz) | o 208.234.0110 | c 208.705.0798 |   [rmes.biz](http://rmes.biz)

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Brady Smith &lt;brady@rmes.biz&gt;

---

**RE: [EXTERNAL] Re: Westfield Estates Div 4 thru 8**

1 message

**Rieske, Michael** <Michael.Rieske@williams.com>

Wed, Jun 9, 2021 at 2:47 PM

To: Brady Smith &lt;brady@rmes.biz&gt;

Mr. Smith,

Thank you for including Northwest Pipeline LLC (Northwest) in your request for review. Northwest has no comment or concerns with your proposed Westfield Estates Division 4-8 plat.

Regards,

**Michael Rieske**Land Representative | Williams-Northwest Pipeline LLC | Land Representative | Tactical  
Projects and Technical Services | West | [295 Chipeta Way Salt Lake City, Utah 84108-1220](#)

Office: 801-584-6822 | Cell: 801-209-0353 | Fax: 801-584-6077

---

**From:** Brady Smith <brady@rmes.biz>**Sent:** Tuesday, June 8, 2021 4:53 PM**To:** [sdavies@bannockcounty.us](mailto:sdavies@bannockcounty.us); Jeremy Messick <[jeremym@bannockcounty.us](mailto:jeremym@bannockcounty.us)>; Kiel Burmester <[kielb@bannockcounty.us](mailto:kielb@bannockcounty.us)>; Bollinger, David <[david.bollinger@bia.gov](mailto:david.bollinger@bia.gov)>; [hsanger@pocatello.us](mailto:hsanger@pocatello.us); [kkeller@phd6.idaho.gov](mailto:kkeller@phd6.idaho.gov); [McCauley.Margaret@epa.gov](mailto:McCauley.Margaret@epa.gov); [ahill@sbtribes.com](mailto:ahill@sbtribes.com); [gbillman@idl.idaho.gov](mailto:gbillman@idl.idaho.gov); [IDL\\_jurisdictional@idl.idaho.gov](mailto:IDL_jurisdictional@idl.idaho.gov); Pat Brown <[pbrown@idl.idaho.gov](mailto:pbrown@idl.idaho.gov)>; [bruce.olenick@deq.idaho.gov](mailto:bruce.olenick@deq.idaho.gov); [allan.johnson@deq.idaho.gov](mailto:allan.johnson@deq.idaho.gov); Johnson,Becky <[becky.johnson@idfg.idaho.gov](mailto:becky.johnson@idfg.idaho.gov)>; [james.cefalo@idwr.idaho.gov](mailto:james.cefalo@idwr.idaho.gov); Peck, Gary <[gpeck@idahopower.com](mailto:gpeck@idahopower.com)>; [Flo.Ghighina@itd.idaho.gov](mailto:Flo.Ghighina@itd.idaho.gov); Corey Krantz <[Corey.Krantz@itd.idaho.gov](mailto:Corey.Krantz@itd.idaho.gov)>; [james.murphy@intgas.com](mailto:james.murphy@intgas.com); Colborn, Phillip <[phillip.colborn@intgas.com](mailto:phillip.colborn@intgas.com)>; [portneufswcd@gmail.com](mailto:portneufswcd@gmail.com); [ryan.cook@rockymountainpower.net](mailto:ryan.cook@rockymountainpower.net); Christ, Russ <[Russell.Christ@sparklight.biz](mailto:Russell.Christ@sparklight.biz)>; [kim.obele@usda.gov](mailto:kim.obele@usda.gov); [nate.matlack@usda.gov](mailto:nate.matlack@usda.gov); Rieske, Michael <[Michael.Rieske@Williams.com](mailto:Michael.Rieske@Williams.com)>; [mrfb62@aol.com](mailto:mrfb62@aol.com); [downeyfirechief@gmail.com](mailto:downeyfirechief@gmail.com); [johnny.ketner@tax.idaho.gov](mailto:johnny.ketner@tax.idaho.gov); [mmiller@cityofchubbuck.us](mailto:mmiller@cityofchubbuck.us); [kirk398@gmail.com](mailto:kirk398@gmail.com); [mccammonchief@gmail.com](mailto:mccammonchief@gmail.com); [jfarnsworth@yahoo.com](mailto:jfarnsworth@yahoo.com); [spencer.k850@gmail.com](mailto:spencer.k850@gmail.com); [mori@bannockplanning.org](mailto:mori@bannockplanning.org); Rodney Burch <[rburch@cityofchubbuck.us](mailto:rburch@cityofchubbuck.us)>; [rthompson@sbtribes.com](mailto:rthompson@sbtribes.com); [reedba@sd25.us](mailto:reedba@sd25.us); [howelldo@sd25.us](mailto:howelldo@sd25.us); Holly Jackson <[holly.jackson@portneuflibrary.org](mailto:holly.jackson@portneuflibrary.org)>; [josh.barnes@portneuflibrary.org](mailto:josh.barnes@portneuflibrary.org); Dannis Adamson <[dannisadamson@gmail.com](mailto:dannisadamson@gmail.com)>; Michael Jaglowski <[mjaglowski@bannockcounty.us](mailto:mjaglowski@bannockcounty.us)>**Subject:** [EXTERNAL] Re: Westfield Estates Div 4 thru 8

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Thank you

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**HEALTH DEPARTMENT NARRATIVE 6.15.21**

Six District Health Department assessment and subsequent report will be forthcoming. Their decision to provide an assessment and report may not be necessary since we are connecting to city water and sewer as part of this project.



Brady Smith <brady@rmes.biz>

**Re: Westfield Estates Div 4 thru 8**

1 message

**Brady Smith** <brady@rmes.biz>

Tue, Jun 8, 2021 at 4:52 PM

To: sdavies@bannockcounty.us, Jeremy Messick <jeremym@bannockcounty.us>, Kiel Burmester <kielb@bannockcounty.us>, "Bollinger, David" <david.bollinger@bia.gov>, hsanger@pocatello.us, kkeller@phd6.idaho.gov, McCauley.Margaret@epa.gov, ahill@sbtribes.com, gbillman@idl.idaho.gov, IDL\_jurisdictional@idl.idaho.gov, Pat Brown <pbrown@idl.idaho.gov>, bruce.olenick@deq.idaho.gov, allan.johnson@deq.idaho.gov, "Johnson,Becky" <becky.johnson@idfg.idaho.gov>, james.cefalo@idwr.idaho.gov, "Peck, Gary" <gpeck@idahopower.com>, Flo.Ghighina@itd.idaho.gov, Corey Krantz <Corey.Krantz@itd.idaho.gov>, james.murphy@intgas.com, "Colborn, Phillip" <phillip.colborn@intgas.com>, portneufswcd@gmail.com, ryan.cook@rockymountainpower.net, "Christ, Russ" <Russell.Christ@sparklight.biz>, kim.obele@usda.gov, nate.matlack@usda.gov, michael.rieske@williams.com, mrfb62@aol.com, downeyfirechief@gmail.com, johnny.ketner@tax.idaho.gov, mmiller@cityofchubbuck.us, kirk398@gmail.com, mccammonchief@gmail.com, jrfarnsworth@yahoo.com, spencer.k850@gmail.com, mori@bannockplanning.org, Rodney Burch <rburch@cityofchubbuck.us>, rthompson@sbtribes.com, reedba@sd25.us, howelldo@sd25.us, Holly Jackson <holly.jackson@portneuflibrary.org>, josh.barnes@portneuflibrary.org, Dannis Adamson <dannisadamson@gmail.com>, Michael Jaglowski <mjaglowski@bannockcounty.us>

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417K



Brady Smith &lt;brady@rmes.biz&gt;

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**RE: Westfield Estates Div 4 thru 8**

1 message

**Rodney Burch** <rburch@cityofchubbuck.us>

Thu, Jul 15, 2021 at 8:10 AM

To: Brady Smith &lt;brady@rmes.biz&gt;

Cc: Dannis Adamson &lt;dannisadamson@gmail.com&gt;, "Christensen, Jay" &lt;jay@jayshomes.com&gt;

The revised concept layout appears to meet the City of Chubbuck, BTPO access management policy expectations. Minor changes may be required during the platting stage when specific dimensions are provided.

Thanks.....

**Rodney T. Burch, PLS**

Public Works Director

[rburch@cityofchubbuck.us](mailto:rburch@cityofchubbuck.us)

5160 Yellowstone Avenue

PO Box 5604

Chubbuck, Idaho 83202

Office: 208-237-2430 ext 132

Direct: 208-239-3232

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> [kim.obebe@usda.gov](mailto:kim.obebe@usda.gov); [nate.matlack@usda.gov](mailto:nate.matlack@usda.gov); [michael.rieske@williams.com](mailto:michael.rieske@williams.com); [mrfb62@aol.com](mailto:mrfb62@aol.com); [downeyfirechief@gmail.com](mailto:downeyfirechief@gmail.com); [johnny.ketner@tax.idaho.gov](mailto:johnny.ketner@tax.idaho.gov); Merlin Miller <[mmiller@cityofchubbuck.us](mailto:mmiller@cityofchubbuck.us)>; [kirk398@gmail.com](mailto:kirk398@gmail.com); [mccammonchief@gmail.com](mailto:mccammonchief@gmail.com); [jfarnsworth@yahoo.com](mailto:jfarnsworth@yahoo.com); [spencer.k850@gmail.com](mailto:spencer.k850@gmail.com); [mori@bannockplanning.org](mailto:mori@bannockplanning.org); Rodney Burch <[rburch@cityofchubbuck.us](mailto:rburch@cityofchubbuck.us)>; [rthompson@sbtribes.com](mailto:rthompson@sbtribes.com); [reedba@sd25.us](mailto:reedba@sd25.us); [howelldo@sd25.us](mailto:howelldo@sd25.us); Holly Jackson <[holly.jackson@portneuflibrary.org](mailto:holly.jackson@portneuflibrary.org)>; [josh.barnes@portneuflibrary.org](mailto:josh.barnes@portneuflibrary.org); Dannis Adamson <[dannisadamson@gmail.com](mailto:dannisadamson@gmail.com)>; Michael Jaglowski <[mjaglowski@bannockcounty.us](mailto:mjaglowski@bannockcounty.us)>

**Subject:** Re: Westfield Estates Div 4 thru 8

To Whom it may concern

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Thank you



Brady M. Smith | Operations Manager | [brady@rmes.biz](mailto:brady@rmes.biz) | o 208.234.0110 | c 208.705.0798 | 

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**RE: Westfield Estates Div 4 thru 8**

1 message

---

**Rodney Burch** <rburch@cityofchubbuck.us>

Thu, Jul 15, 2021 at 8:10 AM

To: Brady Smith &lt;brady@rmes.biz&gt;

Cc: Dannis Adamson &lt;dannisadamson@gmail.com&gt;, "Christensen, Jay" &lt;jay@jayshomes.com&gt;

The revised concept layout appears to meet the City of Chubbuck, BTPO access management policy expectations. Minor changes may be required during the platting stage when specific dimensions are provided.

Thanks.....

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> [kim.obebe@usda.gov](mailto:kim.obebe@usda.gov); [nate.matlack@usda.gov](mailto:nate.matlack@usda.gov); [michael.rieske@williams.com](mailto:michael.rieske@williams.com); [mrfb62@aol.com](mailto:mrfb62@aol.com); [downeyfirechief@gmail.com](mailto:downeyfirechief@gmail.com); [johnny.ketner@tax.idaho.gov](mailto:johnny.ketner@tax.idaho.gov); Merlin Miller <[mmiller@cityofchubbuck.us](mailto:mmiller@cityofchubbuck.us)>; [kirk398@gmail.com](mailto:kirk398@gmail.com); [mccammonchief@gmail.com](mailto:mccammonchief@gmail.com); [jfarnsworth@yahoo.com](mailto:jfarnsworth@yahoo.com); [spencer.k850@gmail.com](mailto:spencer.k850@gmail.com); [mori@bannockplanning.org](mailto:mori@bannockplanning.org); Rodney Burch <[rburch@cityofchubbuck.us](mailto:rburch@cityofchubbuck.us)>; [rthompson@sbtribes.com](mailto:rthompson@sbtribes.com); [reedba@sd25.us](mailto:reedba@sd25.us); [howelldo@sd25.us](mailto:howelldo@sd25.us); Holly Jackson <[holly.jackson@portneuflibrary.org](mailto:holly.jackson@portneuflibrary.org)>; [josh.barnes@portneuflibrary.org](mailto:josh.barnes@portneuflibrary.org); Dannis Adamson <[dannisadamson@gmail.com](mailto:dannisadamson@gmail.com)>; Michael Jaglowski <[mjaglowski@bannockcounty.us](mailto:mjaglowski@bannockcounty.us)>

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EXHIBIT 4  
Agency Comments

**Westfield Div 7**

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**From** Don Matson <dmatson@cityofchubbuck.us>

**Date** Tue 3/10/2026 5:17 PM

**To** Bannock County Planning and Development <development@bannockcounty.gov>

Thank you for the opportunity to provide comment on the Westfield Division 7 preliminary plat. The City of Chubbuck has no concerns.

Regards-

*Don Matson, AICP | MSP  
Planning Manager | Public Works Department  
290 E Linden Avenue, Chubbuck, ID 83202  
Phone 208-239-3252*



AGENDA ITEM NO. 6  
Conditional Use Permit – Andrew Akers  
(Cancelled)

AGENDA ITEM NO. 7  
Variance – Dustin Manwaring



# PLANNING AND DEVELOPMENT SERVICES

5500 S 5<sup>th</sup> Ave | Pocatello, Idaho 83204 | 208.236.7230 | www.bannockcounty.gov

## VARIANCE PERMIT PUBLIC HEARING: MARCH 18, 2026 STAFF REPORT

**FILE #:** VAR-26-2  
**LOCATION:** RPRRGJA000500 and is currently addressed as 3241 Limelight Ln., Pocatello, ID 83201

<b>APPLICANT:</b>	<b>OWNER:</b>
Dustin Manwaring 444 Hospital Way #520 Pocatello, ID 83201	Darren Miller 3241 Limelight Ln. Pocatello, ID 83204

**RECOMMENDATION:** Bannock County Planning and Development recommends the following:

- Denial, or;
- Approval with the following conditions:
  1. The property owner shall ensure that stormwater runoff is managed on-site and does not negatively impact adjacent properties. Drainage improvements may be required by staff if runoff is directed toward neighboring properties.

**REQUEST & BACKGROUND:** Dustin Manwaring requests a variance for a side yard setback from 10' to 5' to build a shop.

### SITE CHARACTERISTICS AND ZONING:

ZONING: Residential Suburban

PROPERTY SIZE: ~ 4.87 acres

VIEWS: The property is visible from N. Stephanie Road and Limelight Ln.

EXISTING STRUCTURES: Residential dwelling

AREA OF CITY IMPACT: No

### SURROUNDING LAND USES AND ZONING:

NORTH: Residential; Residential Suburban

EAST: Residential; Residential Suburban

SOUTH: Residential; Residential Suburban

WEST: Residential; Residential Suburban

### APPLICABLE LAWS AND PLANS:

1. Idaho Code §67-6516, Variance – Definition – Application – Notice – Hearing.

STAFF REPORT  
VARIANCE - MANWARING  
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2. Bannock County Comprehensive Plan, 2025-27
3. Bannock County Zoning Ordinance, 1998-1, specifically:
  - a. §330 RESIDENTIAL SUBURBAN DISTRICT
  - b. §337 BUILDING BULK AND PLACEMENT STANDARDS
  - c. §540 VARIANCES

### **STANDARDS FOR GRANTING A VARIANCE (ZONING ORDINANCE §540.4)**

The Planning and Development Council may grant a variance if it makes affirmative findings on each of the following standards:

**A. The applicant has shown that there is no reasonable alternative.**

Staff Findings of Fact

The applicant states that the proposed shop location avoids steep eastern terrain that would require extensive fill and crossing a water main, preserves existing landscaping and natural vegetation, minimizes disturbance to natural grass and runoff, and eliminates the need for additional retaining walls. The site is relatively flat and located a reasonable walking distance from the residence, with the closest point being 109 feet from the house.

Staff finds that while the applicant states that the proposed shop avoids steep terrain, staff notes that the overall parcel, approximately 5 acres, has a maximum slope of about 20%, and the area proposed for the shop ranges from 5–10% slope. This indicates that the parcel contains ample flat or gently sloped areas suitable for development. The site plan does not indicate the location of a well or waterline, making it unclear whether alternative access routes would require crossing a water main. Staff cannot verify the necessity of the applicant’s proposed location based on current plans. Additionally, the current site plan reflects a 20-foot side yard setback, indicating that the standard 10-foot setback can be achieved without significant grading or disturbance.

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

Staff Findings of Fact

The applicant states that the requested variance allows the shop to be sited to preserve natural vegetation, reduce weed growth, and maintain the landscape, while minimizing flooding risk to the house. Similar setback reductions have been granted for accessory structures in the area. The proposed placement does not impact a reciprocal easement with neighboring property owners Jesse and Lindsey Ward, who support the variance, ensuring no conflict with shared property interests or the public welfare.

Staff finds that while the applicant states that the variance preserves natural vegetation, reduces flooding risk, and avoids conflicts with shared easements, sufficient flat terrain exists elsewhere on the parcel that could accommodate the shop while meeting all required setbacks. Additionally, a variance is not considered a right and may only be granted when the applicant meets their burden of proof through affirmative findings; therefore, approvals of other variances in the area do not automatically support this request. The Council should consider the applicant's justification and any public testimony to determine whether any aspect of the proposed variance is inconsistent with the public interest.

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

Staff Findings of Fact

The applicant states that the proposed shop placement is internal to the site and does not impact neighboring properties, drainage, views, or access. It minimizes disturbance to slopes and runoff, with a minimal setback reduction to 5 feet consistent with nearby approvals. The placement avoids interference with the Wards' easement, and the Wards have confirmed their support, indicating no adverse effects on adjacent property interests.

Staff finds that the proposed shop placement will not adversely affect adjacent properties because it does not conflict with any easements or neighboring access. As long as condition number one (1) is placed, adjacent properties will not be negatively affected by stormwater runoff.

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

Staff Findings

The applicant states that without the variance, alternative locations for the shop are unfeasible due to steep terrain, the well and water main, and the need to manage runoff. Placing the structure elsewhere would increase flood risk, disturb natural grass leading to weed growth, and require additional retaining walls, creating undue hardship. The proposed site avoids these issues and represents the most practical location on the property.

Staff finds that the applicant has not shown that denial of the variance would create undue hardship due to the physical characteristics of the site. The parcel contains minimal slopes, and sufficient flat areas exist to accommodate the proposed structure while meeting required setbacks. Additionally, the current site plan reflects a 20-foot side yard setback, indicating that the standard 10-foot setback can be achieved without significant grading or disturbance.

**AGENCY COMMENTS:**

1. None at time of report

**PUBLIC COMMENTS:**

1. None at time of report

**EXAMPLE MOTIONS**

**APPROVAL (WITH CONDITIONS):**

Having reviewed the application, staff report, and all testimony presented tonight as part of the record, and based on the criteria for a variance, and having found that those criteria for approval are satisfied, I move to approve Dustin Manwaring’s variance request, as described in the application and staff report, with the following conditions:

1. ....
2. ....

**APPROVAL (NO CONDITIONS):**

Having reviewed the application, staff report, and all testimony presented tonight as part of the record, and based on the criteria for a variance, and having found that those criteria for approval are satisfied, I move to approve Dustin Manwaring’s variance request, as described in the application and staff report.

**DENIAL:**

Having reviewed the application, staff report, and all testimony presented tonight as part of the record, and based on the criteria for a variance, and having found that those criteria for approval are not satisfied, I move to deny Dustin Manwaring’s variance request, as described in the application and staff report.

I find that the petition fails to comply with... (cite specific standards which are not met and why).

**REPORT BY:**

Annie Hughes Williams, Zoning Planner  
[annieh@bannockcounty.gov](mailto:annieh@bannockcounty.gov)  
208-236-7230

**REPORTED DATE:** March 11, 2026

*\*Staff comments in this report are based solely upon evidence available at the time of the report. Additional information may be brought to light at or before the hearing.*

**EXHIBITS:**

1. Application and Site Plan
2. Applicable Laws (on file with Staff)
3. Evidence of Notices (on file with Staff)
4. Agency/Public Comments (if any)

## REFERENCE MAPS



**SITE MAP**



**ZONING MAP**



CONTOUR MAP

# EXHIBIT 1

## Application & Site Plan



**Record No: VAR-26-2**

**Primary Location**

**Applicant**

Variance Application

Status: Active

Submitted On: 2/13/2026

 Dustin Manwaring  
  
  


## Parcel & Variance Information

**Parcel Number\***

RPRRGJA000500

**My property is zoned:\***

Residential Suburban

What variance are you requesting? Please select all that apply:

**Rear yard setbacks**

**Side yard setbacks**

**Riparian area setbacks**

**Right-of-way setbacks**

**Lot size**

**Other**

**Please describe your variance request in detail:\***

This is to request a variance to the side yard set back from 10' to 5' for the placement of an accessory shop building. The shop would be placed south close to the property line to use the flattest area on the site while avoiding relocation of existing sprinklers and landscaping.

# Application for Variance

## **Narrative addressing how your application meets criterion 1: The applicant has shown there is no reasonable alternative.\***

Locating the shop as proposed on the site plan avoids otherwise steep eastern terrain requiring several hundred yards of fill and the applicant would have to cross a water main line from his well to the house for a road. This would block any alternative access. The proposed location would require relocating sprinklers and removing some existing landscaping to keep undisturbed natural vegetation and help with weed control. Another location would disturb natural grass that is not landscaped and disrupt runoff without adding retaining walls for water diversion to avoid flooding the house. The proposed site is fairly flat ground and is within walking distance from the residence, with the closeset point between the house and shop being 109 feet to keep the shop a reasonable walking distance from the house.

## **Narrative addressing how your application meets criterion 2: The variance is not in conflict with the public interest.\***

The variance allows the shop to be placed in a way that preserves undisturbed natural vegetation above the site, reducing weed growth and maintaining the natural landscape of the area. The site plan minimizes the risk of flooding to the house by avoiding alterations that could increase runoff to other areas. Similar setback reductions have been approved for accessory structures in Bannock County and in the surrounding area. Additionally, the property is subject to a reciprocal easement with an adjacent property owner Jesse and Lindsey Ward, which grants shared rights for access and utilities. This easement will not be impacted by the shop placement, and the Wards have expressed full support for the variance, ensuring no conflict with shared property interests or public welfare. (See attached letter from the Wards.)

## **Narrative addressing how your application meets criterion 3: The variance will not adversely affect adjacent property.\***

The proposed shop placement has no impact on adjacent properties, as it is internal to the site and does not affect neighbors' drainage, views, or access. It avoids disturbing slopes or creating new runoff paths that could impact others, and the reduced setback is minimal (to 5'), consistent with approvals in nearby areas. There is no adjacent impact including to the easement held by the Wards if the shop is positioned to avoid interference with easement areas. Wards have confirmed support with no adverse effects to their property interests.

## **Narrative addressing how your application meets criterion 4: If the variance is not granted, the applicant will suffer undue hardship caused by the physical characteristics of the site.\***

If the variance is not granted, alternative placements would be unfeasible due to the site's physical characteristics, including steep terrain to the east, the location of the well and water main, and the need for runoff diversion on undisturbed ground. This would increase flood risk to the house, destroy natural grass leading to excessive weed growth, and require unnecessary retaining walls, creating undue hardship caused by the physical characteristics of the site. The proposed site avoids undue hardship that the applicant would incur building an accessory structure elsewhere on the property.

## Certification

**Electronic Signature [Typed name of applicant]\***

Darren Miller

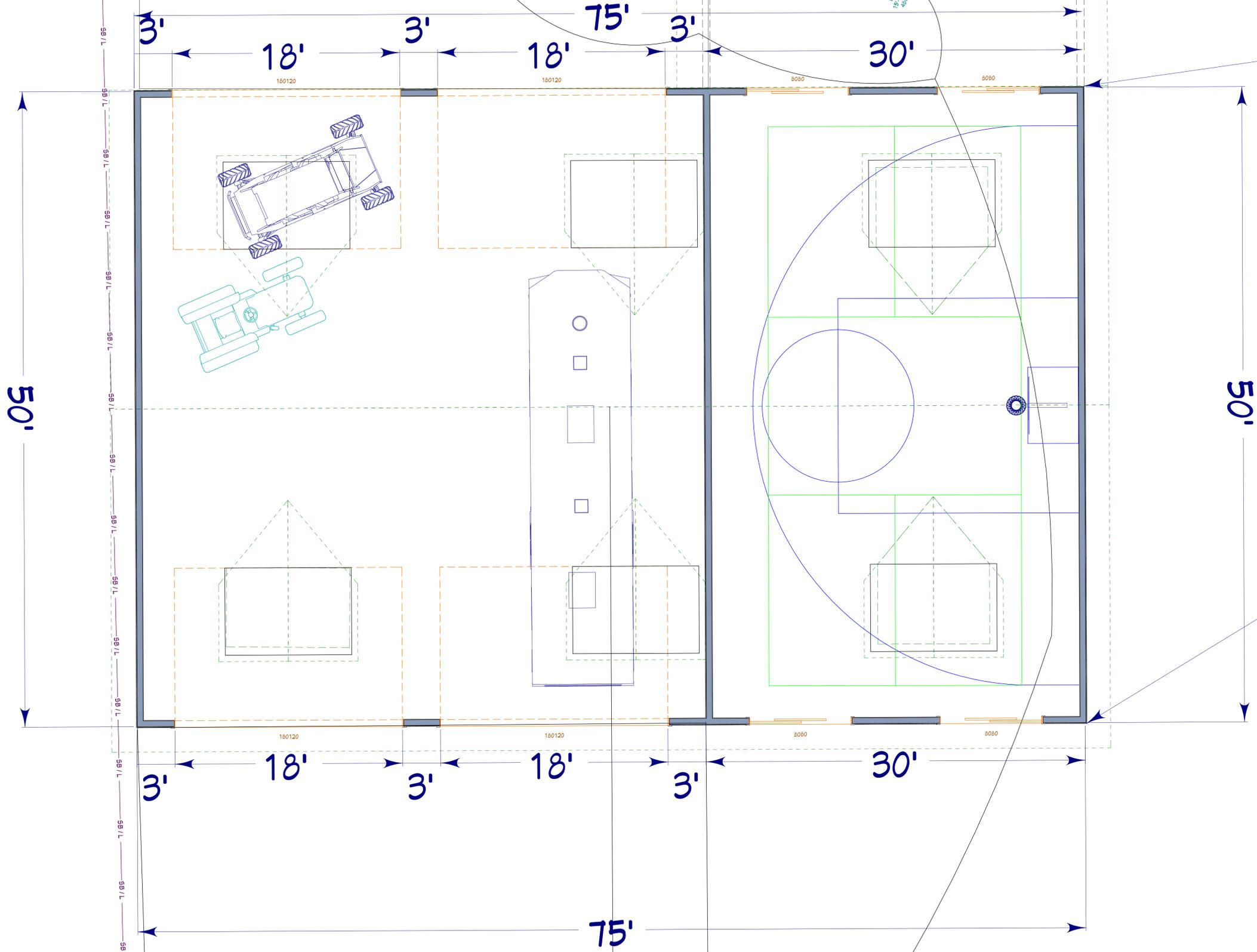
**I agree that my electronic signature above is equivalent to a handwritten signature and is binding for all purposes related to this transaction\***



**Date\***

02/13/2026





REVISION TABLE			
NUMBER DATE REVISION BY DESCRIPTION			

DRAWINGS PROVIDED BY:

DATE:

10/28/2025

SCALE:

SHEET:

# EXHIBIT 2

## Public Comments (In-Support)

Jesse F. and Lindsey Brooke Ward  
3166 Limelight Lane  
Pocatello, ID 83204

February 9, 2026

Bannock County Planning & Development Services  
5500 S. 5th Ave  
Pocatello, ID 83204

**Re: Support for Variance Application by Darren Miller**

Dear Bannock County Planning & Development Council:

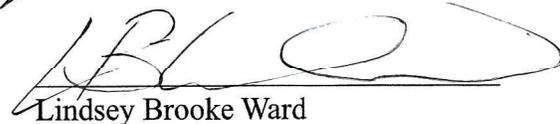
We are Jesse F. and Lindsey Brooke Ward, a married couple, and the holders of an Ingress/Egress and Utility Easement as on the property owned by Darren Miller. We have reviewed Darren Miller's proposed site plan for constructing a shop building and his request for a variance to reduce the rear yard setback from 20 feet to 5 feet. The proposed shop location does not encroach upon or interfere with our easement rights, including any access paths or utility areas as detailed in the easement description and associated plat map.

We fully support Darren Miller's variance application, as it will not impact my easement interests or the reciprocal Landscape Easement we granted to him. Please feel free to contact us if you require any additional information.

Sincerely,



Jesse F. Ward



Lindsey Brooke Ward

# FINDINGS

**BANNOCK COUNTY PLANNING & DEVELOPMENT COUNCIL  
FINDINGS AND ORDER**

**VARIANCE PERMIT- DUSTIN MANWARING  
PUBLIC HEARING: MARCH 18, 2026**

**FILE #:** VAR-26-2  
**LOCATION:** RPRRGJA000500 and is currently addressed as 3241 Limelight Ln., Pocatello, ID 83201

<b>APPLICANT:</b>	<b>OWNER:</b>
Dustin Manwaring 444 Hospital Way #520 Pocatello, ID 83201	Darren Miller 3241 Limelight Ln. Pocatello, ID 83204

**REQUEST & BACKGROUND:** Dustin Manwaring requests a variance for a side yard setback from 10' to 5' to build a shop.

**FINDINGS:**

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

**SITE CHARACTERISTICS AND ZONING:**

ZONING: Residential Suburban  
PROPERTY SIZE: ~ 4.87 acres  
VIEWS: The property is visible from N. Stephanie Road and Limelight Ln.  
EXISTING STRUCTURES: Residential dwelling  
AREA OF CITY IMPACT: No

**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] [is not]** a reasonable alternative.

This is based on:

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

This is based on:

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

This is based on:

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

This is based on:

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Conditions:

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**ORDER: CONCLUSION AND DECISION**

The Planning and Development Council, pursuant to the aforementioned, finds that the request by Dustin Manwaring for a variance for a 5' side yard setback, as described in the application, shall be **[approved]** **[denied]** **[tabled]**.

Motion by \_\_\_\_\_, seconded by \_\_\_\_\_ to adopt the foregoing Findings and Order.

**ROLL CALL:**

Councilperson Dimick	Voted <b>[Yes]</b> <b>[No]</b> <b>[Absent/Recused]</b>
Councilperson Madsen	Voted <b>[Yes]</b> <b>[No]</b> <b>[Absent/Recused]</b>
Councilperson Selleneit	Voted <b>[Yes]</b> <b>[No]</b> <b>[Absent/Recused]</b>
Councilperson Ulrich	Voted <b>[Yes]</b> <b>[No]</b> <b>[Absent/Recused]</b>
Councilperson Ward	Voted <b>[Yes]</b> <b>[No]</b> <b>[Absent/Recused]</b>

Motion carried by a \_\_\_\_\_ to \_\_\_\_\_ vote.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Signed by (Chairperson) (Vice Chair)

**ACKNOWLEDGEMENT CERTIFICATE**

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

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year of 2026, before me \_\_\_\_\_, a notary public, personally appeared \_\_\_\_\_ 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.

S	_____
E	Notary Public
A	My Commission Expires on _____ 20____
L	

# AGENDA ITEM NO. 8

## Items of Interest

- a) Update on recommendations to Commissioners
- b) Discussion of upcoming hearing items
- c) Announcements

# AGENDA ITEM NO. 9

## Citizen Comments

# AGENDA ITEM NO. 10

## Work Session

- a) Land Use & Development  
Ordinance Update

# AGENDA ITEM NO. 11

## Adjourn