

## **BOARD OF BINGHAM COUNTY COMMISSIONERS REASON & DECISION**

In regards to: The Planning & Zoning Commission's recommendation to approve the Comprehensive Plan Map Area Designation from "A" Agriculture to "NR/A" Natural Resource Agriculture, and if approved, the Rocky Hollow Subdivision, formally known as the Talley Homestead Subdivision.

Parcel Location: 562 N. 350 W., Blackfoot, Idaho 83221

Property Owners: James Douglas & Patricia Ann Burkman

Board of County Commissioners Public Hearing Date: November 14, 2025

Acting Chairman, Commissioner Jackson, due to the absence of Commissioner Manwaring.

Prior to the Public Hearing, the Board of County Commissioners reviewed the application and materials submitted by the Applicants, James Douglas and Patricia Ann Burkman, along with the Staff Report and all supplemental maps, notices and other materials.

As to procedural items, the Board finds the following:

1. In accordance with Bingham County Code 10-3-6, Notice of the Boards Public Hearing was provided as follows:
  - a. Sent to Government Agencies on October 17, 2025 (CC-4 List of Government Agencies and Notice & CC-4A Government Agency Notice)
  - b. Published in the Idaho State Journal and Post Register on October 21, 2025 (CC-3 Affidavit of Publication)
  - c. Sent to property owners within 300' of this property on October 17, 2025. (CC-5 & CC-5A Property Owners Mailing List and Notice)
  - d. Site was posted on October 21, 2025 (CC-6 Affidavit of Posting) and photographs of the site were taken on August 22, 2025 (S-9 Pictures)
2. The Commission Clerk nor the Planning & Development Department received any additional testimony prior to the Board's Public Hearing.

After presentation of the Staff Report and confirmation that there were no additional questions for county staff, the Public Hearing was opened and testimony was presented at the Public Hearing, which was as follows:

(CC-7) Patricia A. Burkman (562 N. 350 W., Blackfoot, Idaho), Applicant, stated the property is designed for her son to build a home and have the ability to take care of her and her husband in the future. Ms. Burkman stated that development is the best use for the property and that it will be needed.

Commissioner Jackson opened the Public Hearing for testimony in favor, neutral or in opposition, to which there was none and the Public Hearing was closed.

## REASON

The Board reviewed the Application, and the evidence of said Application in the context of Bingham County Code Title 10 Chapter 15 *Amendments*, and found the following:

1. The Comprehensive Plan Map Area Amendment Application met the requirements in Bingham County Code Section 10-15-3, as the Application was submitted by the property owners and included all required contents of a complete Application; and
2. The requested amendment is for approximately 14.66 acres of land with a Comprehensive Plan Map Area designation of Agriculture. In order to facilitate the Applicant's desire to subdivide their property, which is zoned Agriculture/Natural Resource, an amendment is required to the Natural Resource/Agricultural Map Area; and
3. The Natural Resource/Agriculture Comprehensive Plan Map Area is established in areas that contain scenic areas, watershed areas, wildlife habitat, agriculture uses, and natural resources that may include, but are not limited to, mineral deposits and timber or outdoor recreation facilities. This area will allow the development of such uses in an orderly manner to provide protection for the health, safety, and welfare of residents. Development in hazardous areas such as steep or unstable slopes, wetlands, or flood areas may be limited; and
4. It was appropriate to approve the Comprehensive Plan Map Area Amendment from Agriculture to Agriculture/Natural Resources to facilitate subdivision development upon review of the Applicants response to Bingham County Code Section 10-14-3(E).

The Board reviewed the Application, and the evidence of said Application in the context of Bingham County Code Title 10 Chapter 14 *Subdivision Regulations*, and found the following:

- 1) The Subdivision Application met the zoning district purposes of Bingham County Code Section 10-4-2(A) as the "A/NR" Agriculture/Natural Resources zone is to provide for the protection and orderly development of the County's natural resources. The Board found that the creation of a two-lot subdivision with large lot sizes for immediate use and future residential growth is aligned with the purpose of this zone. Additionally, the Board found that the proposed development has access to the utilities, is compatible with adjacent uses, and has adequate service by roadways; and
- 2) The Application met the requirements of Bingham County Code Section 10-6-6(B)(4) as the proposed lots meet the 5-acre minimum allowed for in an Agriculture/Natural Resources Zoning District; and
- 3) The area consists primarily of residential parcels, agriculturally farmed fields, and lava flows, and the subject property is surrounded by Agriculture/Natural Resource zoning to the north and west; and

- 4) That adequate access will be provided from 550 N. McDonaldville Road for proposed Lot 1, and Lot 2 has existing access from 350 W. McDonaldville Road. Any new approaches are subject to permitting from Bingham County Public Works; and
- 5) That there are no irrigation water rights associated with the parcel and therefore there will be no irrigation water provided to the proposed lots; and
- 6) The Public Hearing met the notice requirements of Idaho Code Title 67, Chapter 65 and Bingham County Code Section 10-3-6.

Commissioner Jensen stated that he is in support of the Application and the decision of the Planning & Zoning Commission. Commissioner Jensen stated that the Application meets all requirements and is a good fit for the property.

Commissioner Jackson stated that the Application will not take any farm ground out of production and fits all Comprehensive Plan requirements. Commissioner Jackson stated that he is in support of the Application and the decision of the Planning & Zoning Commission.

### **DECISION**

**Commissioner Jensen moved to approve the Comprehensive Plan Map Amendment from Agricultural to Natural Resource/Agricultural for approximately 14.66 acres of land, located at approximately 562 N. 350 W., Blackfoot, Idaho 83221, as proposed by James Douglas and Patricia Ann Burkman. Commissioner Jackson seconded. Both voted in favor. The motion carried.**

**Commissioner Jensen moved to approve the Rocky Hollow Subdivision, consisting of 2 lots, located at approximately 562 N. 350 W., Blackfoot, Idaho, on approximately 14.66 acres as proposed by property owners James Douglas**

**Request for Reconsideration/Judicial Review:** Upon denial or approval of a zone change, with adverse conditions, pursuant to Idaho Code Section 67-6535(2)(b), the Applicant or affected person seeking Judicial Review of compliance with the provisions of this section must first seek reconsideration of the final decision within fourteen (14) days. Such written request must identify specific deficiencies in the decision for which reconsideration is sought.

**Regulatory Takings:** Additionally, the Applicant may request a regulatory takings analysis as per Idaho Code Section 67-8003. An affected person aggrieved by a final decision concerning matters identified in Section 67-6521(1)(a), Idaho Code may within twenty-eight (28) days after all remedies have been exhausted under local ordinance, seek Judicial Review as provided by Chapter 52, Title 67, Idaho Code.

Dated this 3 day of December, 2025.

**Board of Bingham County Commissioners  
Bingham County, Idaho**

Absent

Whitney Manwaring, Chairman

Eric Jackson  
Eric Jackson, Commissioner

Drew Jensen  
Drew Jensen, Commissioner

**CERTIFICATE OF SERVICE**

I certify that on the 3 day of December, 2025, I served a true and correct copy of the Reason & Decision for the request for Comp. Plan Designation and Rocky Hollow Subdivision, upon the following person(s) in the manner(s) indicated:

- ☐ Mail
- ☒ Email: [tolsen@binghamid.gov](mailto:tolsen@binghamid.gov)
- ☐ Hand Delivered
- ☐ Designated Courthouse Box

Tiffany Olsen  
Planning & Development Director

- ☐ Mail
- ☒ Email: [trish@iname.com](mailto:trish@iname.com)
- ☐ Hand Delivered
- ☐ Designated Courthouse Box

James Douglas & Patricia Ann Burkman  
562 N. 350 W.  
Blackfoot, Idaho 83221

Lindsey Gluch  
Lindsey Gluch, Commission Clerk