

## **BOARD OF BINGHAM COUNTY COMMISSIONERS**

### **REASON & DECISION**

In regards to: The Planning & Zoning Commission's recommendation to approve the Hendricks Hollow Subdivision to create a 4-Lot residential subdivision, located at approximately 480 W. 300 N., Blackfoot, Idaho, on approximately 4.50 acres, as proposed by property owners Rodney & Robin Hendricks.

The Planning & Zoning Commission previously hear this Application on November 9, 2022, as the "Rod Hendricks Subdivision", but the Application was tabled so that the Applicants could obtain additional information verifying the appropriate irrigation water share ownership and method of irrigation water deliver to be served to the proposed subdivision and meet Bingham County Code Section 10-14-4(B)(4)(d). Since the previous Public Hearing, the property owners have verified water rights assessed by the People's Canal and Irrigation Company to serve all lots with irrigation delivered through the Dubois Ditch with a pressurized 2" buried pipe from an existing irrigation pump, within an easement along the west side of each lot.

Property Owners: Rodney & Robin Hendricks

Board of County Commissioners Meeting Date: June 25, 2025

The record provided to the Board is comprised of the following:

1. Exhibits to the Board Public Hearing Staff Report:
  - CC-1: Staff Report- Board of County Commissioners
  - S-1A: Staff Report- Planning & Zoning Commission
  - A-2A: Rod Hendricks Subdivision Narrative- HLE
  - A-3A: Rod Hendricks Preliminary Plat
  - A-3B: Hendricks Hollow Preliminary Plat
  - A-6A: Guarantee- Flying S Title and Escrow of Idaho, Inc
  - A-8: Letter from Dubois Ditch Company
  - S-14A: Notice of Posting- Addie Jo Jackman, Assistant Director/Lead Planner
  - S-16A: Proof of Publication- Idaho State Journal & Post Register
  - S-17A: Blackfoot/Snake River Government Agency Notice List & Notice of Mailing- Ashley Taylor, Planner
  - S-18A: Notice of Mailing- Ashley Taylor, Planner
  - S-3: Zoning & Subdivision Map
2. Planning & Zoning Commission meeting Exhibits and draft Minutes from May 14, 2025 and Planning & Zoning Commission sign in sheet for May 14, 2025.
3. All information and testimony presented at the Commissions Public Hearing on May 14, 2025.

4. Draft Reason & Decision from the Planning & Zoning Commission Public Hearing held on May 14, 2025.

### **REASON**

There were no questions for county staff and the Board held discussion and deliberation, wherein they found the following:

Commissioner Jackson asked Ms. Olsen why the lane does not follow the property line, wherein Ms. Olsen explained that is the existing features and the lane extends access to Mr. Hendricks home. Commissioner Jackson asked Ms. Olsen if there is a ditch that runs along the lane, to which Ms. Olsen stated there was not and that it would actually be on the opposite side of the lane. Commissioner Jackson stated that could make landscaping and taking care of the weeds interesting. Ms. Olsen stated in some of the photos that portion is open landscape area and does not believe there is any grass but would anticipate with future development that there would be landscaping improvements made.

Chairman Manwaring stated there was no opposition to the Application during the Planning & Zoning Commission Public hearing and it is a simple Application. Chairman Manwaring stated that 3 of the lots are 1.01 acres and 1 lot is 1.36 acres which will allow for individual septic and sewer. Chairman Manwaring stated this development will be on a private road.

The Board reviewed Bingham County Code Section 10-4-2(C), wherein the purpose of the R/A Zone is to permit the establishment of low-density single-family dwellings with lot sizes sufficient for individual sewer and water facilities that have:

1. Suitability of parcel for agricultural purposes.
  - a. The Board had no concerns. Chairman Manwaring added that this would allow individuals to have a garden or a few animals. Commissioner Jensen stated that this portion of land would be hard to farm and would be suitable for housing but still have a garden.
2. Proximity to existing areas of similar population density.
  - a. The Board had no concerns.
3. Lot size compatible with existing lot sizes in the immediate area.
  - a. The Board had no concerns.
4. Compatible with the existing uses in the immediate area.
  - a. The Board had no concerns.
5. Protection from incompatible uses.
  - a. The Board had no concerns.

6. Accessibility to adequate utilities.

- a. The Board had no concerns. Chairman Manwaring stated the subject area has adequate utilities. Commissioner Jensen stated that the subject property is one mile from other municipal connections.

7. Adequate service by roadways.

- a. The Board had no concerns.

Next, the Board reviewed and found the following:

- a. The Board found that the Application met the requirements of Bingham County Code Section 10-4-2(C) as the purpose of the "R/A" Residential/Agriculture zone is to permit the establishment of low density single-family dwellings with lot sizes sufficient for individual sewer and water facilities that have suitability of parcel for agricultural purposes; proximity to existing areas of similar population density; lot size compatible with existing lot sizes in the immediate area; compatible with existing uses in the immediate area; protection from incompatible uses; accessibility to adequate utilities; and adequate service by roadways. The Board reviewed the Application and did not have any concerns; and
- b. The Board found that the Application met the requirements of Bingham County Code Section 10-6-6(B)(1) as the proposed lots meet the 1-acre minimum allowed for in a Residential/Agriculture Zoning District with an individual culinary well and individual septic system and drain field on each lot; and
- c. The Board found that the Application met the requirements of Bingham County Code Title 10, Chapter 14, *Subdivision Regulations*. More specifically, Bingham County Code Section 10-14-4(B)(4)(d) as a letter was received from the Dubois Ditch Company stating the Applicant is in good standing with the company, that all assessments, fees and obligations related to water rights and ditch maintenance had been paid in full; and
- d. The Board found that legal access to all four (4) lots will be from an existing driveway that will be converted to a 50-foot wide access easement from 300 N Tressel Road, with an emergency turnaround; and
- e. The Board found that the proposed subdivision is considered to be consistent with the Bingham County Comprehensive Plan as the area is designated as Residential/Agricultural, which supports the Residential/Agriculture Zoning District; and

Chairman Manwaring stated that he has no concerns in regards to the Application and the fact that the issue with the irrigation was taken care of since the first Application and will be through pressurized irrigation system with water assessed by the People's Canal and Irrigation Company to serve all lots with irrigation delivered through the Dubois Ditch. Ms. Olsen stated that this information could be placed on the plat.

Nothing further.

### **DECISION**

**Commissioner Jackson moved to approve the Application to create a 4-Lot Subdivision, to be known as Hendricks Hollow Subdivision, located at approximately 480 W. 300 N., Blackfoot, Idaho, on approximately 4.50 acres as proposed by property owners Rodney & Robin Hendricks. Commissioner Jensen seconded.**

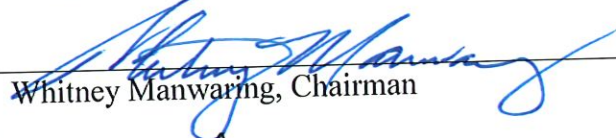
**Chairman Manwaring stated it has been motioned and seconded to uphold the decision of the Planning & Zoning Commission to approve Hendricks Hollow Subdivision, a 4-Lot Subdivision in a "R/A" Residential/Agriculture Zoning District for Rodney & Robin Hendricks at 480 W. 300 N. (Tressel Road), Blackfoot, Idaho. This decision is based upon review of the Reason & Decision of the Planning & Zoning Commission and the discussion held. No further discussion. All voted in favor. The motion carried.**

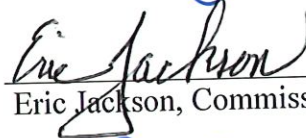
**Request for Reconsideration/Judicial Review:** Upon denial or approval of a zone change, with adverse conditions, pursuant to Idaho Code Section 67-6535(2)(b), the Applicant or affected person seeking Judicial Review of compliance with the provisions of this section must first seek reconsideration 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 2<sup>nd</sup> day of July, 2025.

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

  
Whitney Manwaring, Chairman

  
Eric Jackson, Commissioner

  
Drew Jensen, Commissioner

## CERTIFICATE OF SERVICE

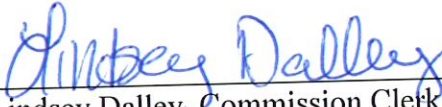
I certify that on the 2<sup>nd</sup> day of July, 2025, I served a true and correct copy of the Reason & Decision for the request for Hendricks Hollow Subdivision, upon the following person(s) in the manner(s) indicated:

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

Chris Street  
HLE

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

Tiffany Olsen  
Planning & Development Director

  
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Lindsey Dalley, Commission Clerk