

BOARD OF BINGHAM COUNTY COMMISSIONERS

REASON & DECISION

In regards to: The Planning & Zoning Commission's recommendation to approve the request submitted by Charles Tanner Higham & Ashton Sarai Durfey (also known as Ashton Higham), to create a two-lot single-family residential subdivision, zoned "R/A" Residential/Agriculture, to be known as the Higham Subdivision, on approx. 2.24 acres with an average lot size of approx. 1.123 acres in size, located at 864 E. 1200 N., Shelley, Idaho, in accordance with Bingham County Code Title 10 Chapter 14 *Subdivision Regulations*.

Property Owner & Applicant: Charles Tanner Higham & Ashton Sarai Durfey (also known as Ashton Higham)

Board of County Commissioners Meeting Date: January 14, 2026

Commissioner Jackson was not in attendance.

Prior to the Meeting, the Board of County Commissioners, reviewed the Application and materials submitted by the Applicants, Charles Tanner Higham & Ashton Sarai Durfey, along with the Staff Report and all supplemental maps, notices and other materials.

REASON

After presentation of the Staff Report, the Board of County Commissioners held discussion and deliberation, wherein they found the following:

1. The Application met the requirements of Bingham County Code Title 10, Chapter 14, *Subdivision Regulations*; and
2. The Application met the requirements of Bingham County Code Section 10-4-2(C), which states that 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. The Board found the area surrounding the proposed subdivision to the north, east, and west is zoned Residential/Agriculture, consisting of farm ground to the north and west, and residential parcels to the east; and
3. The Application met the requirements of Bingham County Code Sections 10-6-6(B)(1) as the proposed lots meet the 1-acre minimum allowed for in a Residential/Agriculture Zoning District with individual culinary wells, septic systems, and drainfields on each lot; and
4. 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 development of the parcel; and

5. The Public Hearing met the notice requirements of Idaho Code, Title 67, Chapter 65, and Bingham County Code Section 10-3-6.

Chairman Manwaring asked Ms. Jackman if the subject property was removed from the Area of Impact, to which she confirmed was correct.

Chairman Manwaring asked if there will be surface or ground water used, to which Ms. Jackman stated that it will be surface water used and there will be a pressurized system.

DECISION

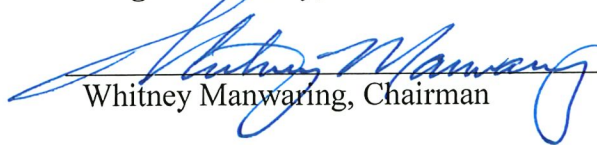
Commissioner Jensen moved to uphold the decision of the Planning & Zoning Commission and approve the Higham Subdivision consisting of 2-lots, located at approx. 864 E. 1200 N., in Shelley, Idaho, on approx. 2.24 acres, as proposed by property owners Charles Tanner Higham and Ashton Durfey (also known as Ashton Higham). Chairman Manwaring seconded. Both 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 30th day of January, 2026.

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


Whitney Manwaring, Chairman

Eric Jackson, Commissioner


Drew Jensen, Commissioner

CERTIFICATE OF SERVICE

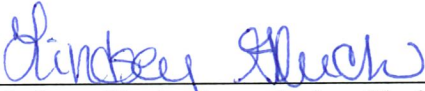
I certify that on the 30th day of January, 2026, I served a true and correct copy of the Reason & Decision for the request for Higham Subdivision, upon the following person(s) in the manner(s) indicated:

- ☐ Mail
- ☒ Email: tannerhigham@gmail.com
- ☐ Hand Delivered
- ☐ Designated Courthouse Box

Charles Tanner & Ashton Higham
1200 N. 860 E.
Shelley, Idaho 83274

- ☐ Mail
- ☒ Email: tolsen@binghamid.gov
- ☐ Hand Delivered
- ☐ Designated Courthouse Box

Tiffany Olsen
Planning & Development Director



Lindsey Gluch, Commission Clerk