

BOARD OF BINGHAM COUNTY COMMISSIONERS

REASON & DECISION

In regards to: The Planning & Zoning Commission's recommendation to approve the request submitted by Douglas Williams to develop a 5-lot residential subdivision, on approx. 6.77 acres of land, zoned "R/A" Residential/Agriculture, in accordance with Bingham County Code Title 10 Chapter 14 *Subdivision Regulations*, to be known as Morning Dew Acres. Lot 1 is proposed to be approx. 0.03 acres to be dedicated to the County as a public right-of-way. Lot 2 is proposed to be 2.18 acres in size, and lots 3-5 are proposed to be 1.50 acres each.

Property Owner & Applicant: Douglas Williams

Board of County Commissioners Meeting Date: February 25, 2026

Prior to the Meeting, the Board of County Commissioners, reviewed the Application and materials submitted by the Applicants along with the Staff Report and all supplemental maps, notices and other materials.

REASON

After presentation of the Staff Report by Addie Jo Jackman, Assistant Planning & Development Director, 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; and
3. The lands surrounding the proposed subdivision are zoned Residential/Agricultural, consisting of portions of farm ground with residential development, which is consistent with the features of the proposed 4-lot subdivision; and
4. The Application met the requirements of Bingham County Code Section 10-6-6(B)(1) as the proposed lots exceed the 1-acre minimum allowed for in a Residential/Agriculture Zoning District with individual culinary wells, septic systems, and drainfields on each lot; and
5. Adequate access to all lots will be extended from West Riverton Road through a proposed 50-foot-wide easement/private road; and

6. Lots are located within the Eastern Idaho Water Company, and managed by the Miners Ditch Company, with adequate water shares to deliver irrigation to each lot through a new open ditch situated along the west side of the easement/private access road located on the eastern boundary of the proposed subdivision; and
7. 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 asked Ms. Jackman if it was confirmed by Mark Pratt that there are 19.7 water shares, wherein Ms. Jackman stated there was discrepancy in the application materials versus what Mark Pratt provided as testimony. Ms. Jackman stated that she is not able to conduct further research and advise the board as this is a public meeting, but worst-case scenario has been confirmed that if they only have 10 shares, that is sufficient and would give each lot approximately 2.5 shares for irrigation.

Ms. Jackman stated that Mr. Pratts' concern was in regard to the standard, which is why she sought clarification before the Public Hearing, for each owner having 5 shares. Mr. Pratt advised Ms. Jackman that in this case it does not matter so long as those shares are held in a homeowners' association and that they have adequate water.

Chairman Manwaring asked if there were any issues with the 20-foot access easement and the fact that it is next to a private road, wherein Ms. Jackman stated there were no concerns brought to her attention. Ms. Jackman stated that Public Works was asked for comments as there is another easement neighboring to the east of the subject property, which does not appear to be built out but does exist, but there were no comments submitted.

Commissioner Jensen asked if a condition should be placed that the individual lot owners should care for their open space and not let it grow to weeds. Tiffany Olsen reiterated that there is no open space on this plat and that it is lot ownership. Commissioner Jackson stated if lots are sold and building does not commence; it could grow weeds, which may cause complaints.

DECISION

Commissioner Jensen moved to conditionally approve the Morning Dew Acres Subdivision consisting of 5 lots, located south and east of 431 W. Riverton Road, Blackfoot, Idaho, on approx. 6.77 acres, as proposed by property owner Douglas Williams, with the following conditions:

- 1) Until the lots are sold, the property owner have weed control measures in place.**

Commissioner Jackson seconded. 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.

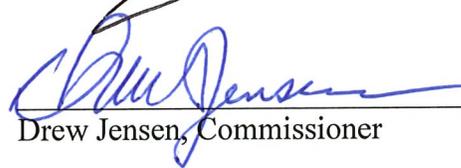
Regulatory Takings: Additionally, the Applicant may request a regulatory takings analysis as per Idaho Code Section 67-8003. An affected person aggrieved by a final decision concerning matters identified in Section 67-6521(1)(a), Idaho Code may within twenty-eight (28) days after all remedies have been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

Dated this 11th day of March, 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 11th day of March, 2026, I served a true and correct copy of the Reason & Decision for the request for Morning Dew Acres Subdivision, upon the following person(s) in the manner(s) indicated:

- Mail
- Email:
- Hand Delivered
- Designated Courthouse Box

Douglas Williams
514 W. Riverton Road
Blackfoot, Idaho 83221

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

Tiffany Olsen
Planning & Development Director



Lindsey Gluch, Commission Clerk