

## **BOARD OF BINGHAM COUNTY COMMISSIONERS**

### **REASON & DECISION**

In regards to: The Planning & Zoning Commission's recommendation to approve the request submitted by Bracken Jon & Katie Jean Abrams, to develop a 4-lot residential subdivision, to be known as Whispering Grove Acres, on approximately 4.61 acres of land, zoned "R/A" Residential/Agriculture, located south of 701 E. 1400 N., Shelley, Idaho, in accordance with Bingham County Code, Title 10, Chapter 14, *Subdivision Regulations*.

Property Owner & Applicant: Bracken Jon & Katie Jean Abrams

Board of County Commissioners Meeting Date: January 16, 2026

Prior to the Meeting, the Board of County Commissioners, reviewed the Application and materials submitted by the Applicants, Bracken Jon & Katie Jean Abrams, 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(B), 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 to the north, southeast, and southwest of the proposed subdivision is zoned Residential/Agriculture, consisting of farm ground to the southwest, and residential parcels to the south, southeast, and 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 lots are located within the Snake River Irrigation District and will be served by a new open ditch to be constructed within an irrigation easement; and
5. The proposed Subdivision is considered to be consistent with Bingham County Comprehensive Plan, as the surrounding area is designated as Residential/Agricultural, which supports the Residential/Agriculture Zoning District; and

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

Chairman Manwaring referred to the testimony in opposition, provided at the Planning & Zoning Commission Public Hearing, from Luke Bloxham and asked for clarification from Ms. Jackman that the concern regarding ditch maintenance had been cured. Ms. Jackman confirmed and stated that the Abrams' chose to go with the lateral off of the Wolfram's property so there will be no concerns with crossing David Hiatt's property and disturbing his cattle operation.

Chairman Manwaring asked if there were concerns in regards to fencing due to Hiatt and his cattle operation, wherein Ms. Jackman stated that fencing was not a concern and that it was more of a concern to have individuals walking through the property to maintain or utilize water.

### **DECISION**

**Commissioner Jackson moved to uphold the decision of the Planning & Zoning Commission and approve the Whispering Grove Acres Subdivision as proposed by Property Owners and Applicants, Bracken Jon and Katie Jean Abrams, located south of 701 E. 1400 N., Shelley, Idaho. Commissioner Jensen 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 30<sup>th</sup> 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 30<sup>th</sup> day of January, 2026, I served a true and correct copy of the Reason & Decision for the request for Whispering Grove Acres Subdivision, upon the following person(s) in the manner(s) indicated:

- |  |                        |
|--|------------------------|
| <input type="checkbox"/> Mail  | Bracken & Katie Abrams |
| <input checked="" type="checkbox"/> Email: <u>bracken.abrams@gmail.com</u> | 1254 N. 550 E.         |
| <input type="checkbox"/> Hand Delivered                                    | Shelley, Idaho 83274   |
| <input type="checkbox"/> Designated Courthouse Box                         |                        |

- |  |                                 |
|--|---------------------------------|
| <input type="checkbox"/> Mail  | Tiffany Olsen                   |
| <input checked="" type="checkbox"/> Email: <u>tolsen@binghamid.gov</u> | Planning & Development Director |
| <input type="checkbox"/> Hand Delivered                                |                                 |
| <input type="checkbox"/> Designated Courthouse Box                     |                                 |

  
Lindsey Gluch, Commission Clerk