

## BOARD OF BINGHAM COUNTY COMMISSIONERS

### REASON & DECISION

In regards to: The Planning & Zoning Commission's recommendation to approve the request submitted by Jeffery and Kay Lynne Baldwin, to replat lots 2 and 3 of the Twin Buttes Subdivision No.1, to develop a 4-lot subdivision, to be known as Twin Buttes Subdivision, Division No.2, on approx. 5.257 acres of land, zoned "R/A" Residential/Agriculture, located at approx. 1017 W. Highway 26, Blackfoot, Idaho, in accordance with Bingham County Code Title 10, Chapter 14 *Subdivision Regulations*.

Property Owner & Applicant: Jeffery and Kay Lynne Baldwin.

Board of County Commissioners Meeting Date: January 21, 2026

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

### REASON

After presentation of the Staff Report by Addie Jo Jackman, Planning & Development Assistant 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. The Board found the area to the south, east and west of the proposed subdivision is zoned Residential/Agriculture, consisting of undeveloped ground to the south and west, and residential parcels to the southeast, and east; and
3. The property does not lie within an irrigation district boundary, but irrigation water will be provided utilizing groundwater rights assessed by the Bingham Ground Water District with distribution via an above-ground system. In accordance with Bingham County Code Section 10-144(f) and Idaho Code Section 31-3805, a Water Users Agreement for the lots within the subdivision will be recorded before the Final Plat; and
4. Adequate access will be provided from Highway 26 by converting an existing driveway to a private road/easement, subject to approval from the appropriate fire district to verify adequate construction and turnaround; and

5. 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 individual culinary wells, septic systems and drainfields on each lot; and
6. The property lies within a designated floodplain area however, there are rules and regulations to be followed during construction to keep any structure reasonably safe from flooding; and
7. The Comprehensive Plan Map area is consistent with the Zoning Designation, but because this is a replat of an existing subdivision, a Comprehensive Plan Map Amendment is not required; and

Commissioner Jackson stated the subject property is located within the flood plain and asked Addie Jo Jackman if it is known how deep the water gets or how high the developer will need to build up the home. Ms. Jackman stated that every zone has a base flood elevation and the home will need to be above that elevation and to standards. Ms. Jackman stated the Developer will need to work with a Surveyor to determine the level in which the home is to be built.

Chairman Manwaring stated that FEMA Elevation Certificate is needed and the home is to be built above the base flood elevation. Chairman Manwaring stated the Comprehensive Plan Map is inconsistent with the zoning but because it is a replat of an existing subdivision, a Comprehensive Plan Map Amendment is not required.

Chairman Manwaring stated there was no testimony in opposition during the Planning & Zoning Commission Public Hearing and he found no concerns in regards to the Application.

Commissioner Jackson stated this will not take any farm ground out of production and therefore, he has no concerns in regards to the Application.

Commissioner Jensen stated that individuals who purchase the lots will be made aware that the property is located within the flood plain and that he also had no concerns in regards to the Application.

#### **DECISION**

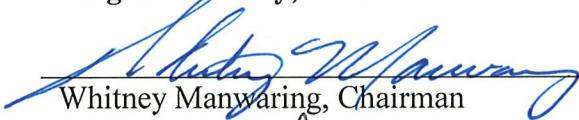
**Commissioner Jensen moved to uphold the Planning & Zoning Commission recommendation to approve the Twin Buttes Division No.1, 1<sup>st</sup> Amended Subdivision, a replat of lots 2 and 3 of Twin Buttes Subdivision Division No.1, to create a 4-lot residential subdivision, located at approx. 1017 W. Highway 26, Blackfoot, Idaho, on approx. 5.257 acres as proposed by property owners Jeffrey and Kay Lynne Baldwin, which is based upon review of the record and the Reason & Decision of the Planning & Zoning Commission. 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 30 day of January, 2026.

Board of Bingham County Commissioners  
Bingham County, Idaho



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Whitney Manwaring, Chairman



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Eric Jackson  
Eric Jackson, Commissioner



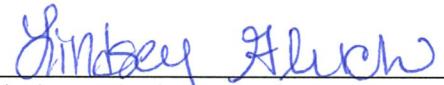
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Drew Jensen  
Drew Jensen, Commissioner

## CERTIFICATE OF SERVICE

I certify that on the 30 day of January, 2026, I served a true and correct copy of the Reason & Decision for the request for Twin Buttes Division No.1, 1<sup>st</sup> Amended Subdivision, upon the following person(s) in the manner(s) indicated:

<input type="checkbox"/> Mail	Jeffery & Kay Lynne Baldwin
<input checked="" type="checkbox"/> Email: <u>jbaldwinblkft@gmail.com</u>	1017 W. Highway 26
<input type="checkbox"/> Hand Delivered	Blackfoot, Idaho 83221
<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	

  
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Lindsey Gluch, Commission Clerk