

BINGHAM COUNTY COMMISSIONERS

Whitney Manwaring, Chairman

Eric Jackson

Drew Jensen



Lindsey Gluch, Commission Clerk

501 N. Maple Room 204

Blackfoot, ID 83221

Phone (208) 782-3013

Fax (208) 785-4131

BINGHAM COUNTY BOARD OF COMMISSIONERS REASON & DECISION

In regard to: The Request for Reconsideration filed by Cameron & Lori Cronquist and Haizer & Jensen Simper in regard to the written decision made by the Board of County Commissioners dated July 10, 2026, approving the Applicant's Subdivision Application for Long Lane Subdivision. The Request for Reconsideration was timely filed, and the filing fee has been paid.

Request for Reconsideration Meeting Date: August 18, 2026

Chairman Manwaring stated this Application was originally heard on June 24, 2026, wherein both he and Commissioner Jensen voted in favor of the Application, with an added condition and Commission Jackson voted in opposition as he did not feel that the Application is consistent with the surrounding areas and 5 acre lots versus 2 acre lots.

Tiffany Olsen, Planning & Development Director, reviewed the Reason & Decision approved by the Board in regard to its June 24, 2026, decision granting preliminary plat entitlement. Ms. Olsen stated the Board found that the subdivision by majority vote was appropriate for the area, commensurate with the surroundings, fit within the zoning designation for subdivision lot sizes because it is in a Residential/Agriculture zone. Ms. Olsen stated there were conditions added to the approval, which were specific to the irrigation system and that the Applicants, David & Sylvia Long, at their expense, hired a professional engineer to design the water system so that the pump and piping will be adequate to provide for all affected properties, which would include adequate water pressure.

Chairman Manwaring stated there are three concerns for the Board to reconsider and referred to the first concern (Reason 3, consistent with surrounding lands), which is in regard to the property being consistent with surrounding lands and spot zoning. Chairman Manwaring referred to the Comprehensive Map (Exhibit S-4- Planning & Zoning Commission Staff Report), which shows the subject property as designated Residential/Agriculture. Chairman Manwaring stated there is a multi-use corridor along the main highways throughout the county that allows for different zoning designations, wherein 900 as a corridor that was designated Residential/Agriculture and originally when this application was submitted requesting 16 lots, it was approved because the property was located along the corridor and was adjacent to Residential/Agriculture zones. Chairman Manwaring stated that he does not feel that the concern is applicable as the property was already zoned Residential/Agriculture.

Commissioner Jackson stated that he voted in opposition due to the fact that the immediate area has 5-acre or 6-acre lots and to him the request does not fit within the surrounding area. Commissioner Jackson stated that the Board should not consider the covenants as that is a civil matter, but where there are three other lots that are 5-acres or 6-acres, this does not fit within the surrounding area.

Commissioner Jensen stated the subject property is in a Residential/Agriculture zone and within that designation, 2-acre lots are allowed. Commissioner Jensen stated that he recalls that this property was originally approved for 16-lots and therefore he does not believe this application, if approved, would be spot zoning due to the zoning designation.

Chairman Manwaring stated that he believes after it was decided not to proceed with the 16-lots, there was a moratorium on water put in place and that they could not put in the community well, which was originally what was approved.

Chairman Manwaring referred to issue number two (Reason 5, easement egress/ingress), wherein in Bingham County Code in regard to easements states that recorded authorization by a property owner for the use of any designation part of their property but for a specified purpose. Chairman Manwaring stated under Bingham County Code 10-6-8 (b), the 25 feet was mentioned and some encroachment, but this is a private lane in a private subdivision, that under county code, the construction use for private roads and easements for residential or commercial access shall be adequate for safety vehicles as per Fire Code. Chairman Manwaring stated as long as access is unobstructed, and an ambulance or fire truck could get by per code; there is not an issue. Chairman Manwaring stated in his mind if someone feels that there is equipment parked in the area and the individual does not feel that an ambulance could get by, that is when the individual could contact law enforcement to have the issue looked at to see if it is in fact a safety issue.

Commissioner Jackson stated one complaint is that part of the easement is being used to park equipment on. Commissioner Jensen stated he had questions in regard to the same issue and that there was alfalfa grown and he would guess that they would farm the edge of the boundary to the edge of the easement. Therefore, he did not think there would be anything parked there if they were farming. Commissioner Jackson stated to him its like Longs are encroaching out upon the easement, wherein Ms. Olsen stated that the Longs have easement access for ingress/egress and code requires a 50 foot easement in width but there is only 25 feet of it that is roadway. Ms. Olsen stated in the event that this private road is converted to a county road there is sufficient right of way because county roads are 50 feet. Ms. Olsen stated that Fire Code allows certain distances of width depending on the number of homes that the road is accessing. Ms. Olsen stated the road is for ingress and egress, not for parking and there is no permission to park vehicles within an easement.

Ms. Olsen stated the point in the reconsideration is who owns the land, which has been discussed as an easement so there is a landowner and the Cronquist's own the portion of the land subject to their reconsideration. If there is access to use the easement through a deed, it is just for ingress and egress only, not for parking and storage.

Cameron Cronquist spoke up and asked if there is a width that is required, wherein Ms. Olsen stated the width of an easement is dictated by the Fire Code and the Fire Marshall. If there is a certain distance that is in question, Ms. Olsen stated she would encourage anyone with questions to reach out to the Snake River Fire Marshall to determine what that required width is for access. Ms. Olsen stated each time a building permit application is received that is utilizing a private road or easement, Planning & Development requests that the Applicant or Developer provides written documentation that the Fire Marshall has gone to the property and looked at the access to be sure that the access is sufficient to meet Fire Code. Therefore, the county will have that information for the newer homes that are built using the access.

Commissioner Jensen stated that he does not recall obstruction of the easement being discussed previously and asked if this would be considered new evidence. Ms. Olsen stated within the testimony submitted by Mr. Cronquist at the Planning & Zoning Commission Public Hearing (Exhibit T-6), he described that the easement is for ingress and egress only and questioned the use, ownership and un-obstruction or agricultural purposes. Commissioner Jensen stated that he does not recall the Board having conversation in regard to equipment or other items being parked on the road. Ms. Olsen stated that from a quick review, she cannot see allegations of parking or storage but does discuss obstructed access. Mr. Rogers stated that the Board is not able to receive any new information for this meeting.

Ms. Olsen stated there was testimony provided by Mr. Cronquist within (Exhibit T-6) that states "They (the Long's) should not be able to lay down a couple of hundred feet of gravel and state claim to my property or use it as storage area for their stuff".

Commissioner Jackson asked if a property line adjustment could be done if the Long's wanted to have that access, they could trade with the Cronquist's and adjust the property line, which would be a civil matter but could be done. Ms. Olsen stated that a replat of a subdivision is eligible opportunity for any landowners that agree to adjust their boundary lines. Ms. Olsen stated that the access is for ingress and egress, not for storage and parking.

Chairman Manwaring referred to issue number three (Reason 6, Irrigation System) and stated that he agrees that the condition placed on the approval will address this issue thorough review by someone that understands irrigation systems. Chairman Manwaring stated there was conversation held in regards to the irrigation system and within the Motion made by Commissioner Jensen, he amended the motion to require that the Applicant, at his expense, hire a professional engineer to design the water system so that the pump and piping will be adequate to provide for all affected parties.

Commissioner Jackson stated that he agreed with Chairman Manwaring and the key to solving the issue is to have a system that is designed by a professional engineer, per the motion made by Commissioner Jensen.

Commissioner Jensen stated if there were two more homes, it would lessen the amount of acreage that would need to be irrigated for the farm ground. Commissioner Jensen stated that he feels that the Board tried to protect the landowners by requiring that the system be designed by a professional engineer to be sure there is no decrease in delivery to all parties.

Paul Rogers, County Legal Counsel, stated under Bingham County Code 10-10-3(c), the Board may affirm, reverse or modify the underlying decision if the following requirements are met:

- 1) The Board finds that the substantial rights of the Appellant or affected party has/have been prejudiced;
- 2) The underlying decision is in violation or excess of constitutional or statutory authority; made upon unlawful procedure; not supported by substantial evidence; or arbitrary, capricious, or an abuse of discretion.

Further, Mr. Rogers stated if those requirements have been met, the Board may modify its decision. If both requirements are not met, the Board lacks authority under Bingham County Code 10-10-3 (c) to modify its previous decision.

Chairman Manwaring stated that he does not feel that the substantial rights of the Appellant were prejudiced as the Board made the decision based on information received.

Commissioner Jackson stated that he does not feel that the substantial rights of the Appellant were prejudiced.

Commissioner Jensen stated that he does not feel that the substantial rights of the Appellant were prejudiced and that the Board discussed the application thoroughly and in looking at all sides, which was the reason that the condition was placed requiring the Applicant to hire and pay for a professional engineer to design the system to be sure that it could serve all parties.

Legal Counsel confirmed that the Board finds the substantial rights of the affected party were not prejudiced and the underlying decision is supported by substantial evidence. The Board cannot check either of the

required boxes in favor of the moving party under Bingham County Code 10-10-3(c). Therefore, the Board lacks authority under the code to amend, reverse, or otherwise modify its prior decision.

DECISION

Commissioner Jensen moved to affirm the Boards decision previously made on June 24, 2026, based on the conversation held in regard to the Motion for Reconsideration according to Bingham County Code 10-10-3, and the Board does not have the ability to amend its previous decision. Commissioner Jackson seconded.

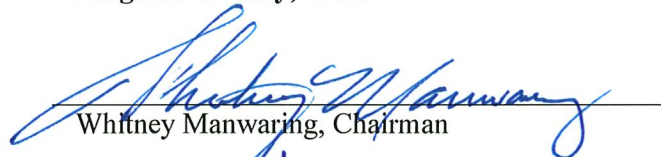
Mr. Rogers requested an amendment be made to the motion in order to state that the previous decision did not violate substantial rights of the Appellant and was not made in violation of the constitution or statutory authority, was not made by unlawful procedure, it was supported by substantial evidence and it was not arbitrary, capricious or an abuse of discretion.

Commissioner Jensen amended the motion to add that the previous decision did not violate substantial rights of the Appellant and was not made in violation of the constitution or statutory authority, was not made by unlawful procedure, it was supported by substantial evidence and it was not arbitrary, capricious or an abuse of discretion. Commissioner Jackson seconded. All voted in favor. The motion carried.

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 4 day of September 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 4 day of September 2026, I served a true and correct copy of the Reason & Decision for the Motion for Reconsideration filed by Cameron & Lori Cronquist and Haizer & Jensen Simper, upon the following person(s) in the manner(s) indicated:

- ☐ Mail
- ☒ Email: cstreet@hleinc.com
- ☐ Hand Delivered
- ☐ Designated Courthouse Box

Chris Street, HLE
Applicant's Representative

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

Tiffany Olsen
Planning & Development Director

- ☐ Mail
- ☒ Email: SLong1721@gmail.com
- ☐ Hand Delivered
- ☐ Designated Courthouse Box

David & Sylvia Long
911 West 45 South
Blackfoot, Idaho 83221

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

Alan Stander
50 South 900 West
Blackfoot, Idaho 83221

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

Cameron & Lori Cronquist
908 West 45 South
Blackfoot, Idaho 83221

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

Haizer & Jensen Simper
918 West 45 South
Blackfoot, Idaho 83221


Lindsey Gluch, Commission Clerk