

**BINGHAM COUNTY PLANNING & ZONING COMMISSION
REASON AND DECISION**

APPLICATION OF: Conditional Use Permit for a Temporary Second Dwelling for Medical Hardship in an “R/A” Residential/Agriculture Zoning District on less than 2.00 acres

PROPERTY OWNERS & APPLICANTS: Kip & Bobbi Wadsworth

Requested Action: Property Owners and Applicants, Kip & Bobbi Wadsworth, requested a Conditional Use Permit for a temporary secondary dwelling to be placed on their property located at 45 W 100 N, Blackfoot, ID, to allow them to assist in caring for their elderly mother. Pursuant to Bingham County Code Section 10-7-4, *Additional Dwelling Unit, Temporary*, each parcel of property, considered a buildable parcel, shall be allowed one additional temporary dwelling for a medical hardship with a statement from a licensed physician to the medical condition and need for assistance, with an approved Conditional Use Permit following the regulations of Bingham County Code Title 10 Chapter 8. The request will require an additional approval by the Planning and Zoning Commission as the parcel is less than 2.00 acres in size.

Property Location: 45 W 100 N, Blackfoot, Idaho. Parcel Nos. RP0351003 Township 2 South, Range 35 East, Section 36, consisting of approx. 1.13 acres

Applicable Regulations: Bingham County Comprehensive Plan, dated November 20, 2018, and Bingham County Zoning Ordinance 2012-08, as amended

Public Hearing Date: September 10, 2025

I. PUBLIC HEARING RECORD AND INFORMATION

1. The following was reviewed by the Commission:
 - a. Application and materials submitted by the Applicant; and
 - b. Staff Report and supplemental maps, notice, and other materials.

2. At the Public Hearing, Assistant Director/Lead Planner Addie Jo Jackman presented the Staff Report for the Application. She reviewed the requested action and acknowledged that

before the Public Hearing, the Commissioners were provided the record of written testimony received, which included:

- (T-1) Bingham County Surveyor submitted testimony in a neutral position stating no concerns.
 - (T-2) Bingham County Public Works submitted testimony in a neutral position and stated the 2 current approaches don't meet Bingham County standards; however, under a temporary medical hardship, they have no objection.
3. After the Staff Report was presented, Commissioner Jolley questioned Public Works testimony by asking if the approaches that don't meet the County's standards are the Applicant's or the Applicant's approaches to neighboring approaches. Ms. Jackman responded that the Applicant has two existing approaches, and the distance between those two approaches does not meet the County's standards. However, Public Works is taking the position that, because they are in existence and the Application is temporary in nature, they have no objection. Commissioner Watson was concerned about the approach perhaps not being wide enough for fire and emergency vehicle access, which may be necessary with the use of the temporary structure for an elderly woman. Ms. Jackman confirmed that the concern from Public Works was related to the distance between the approaches and not the width of the access.
 4. With no further questions from the Commission, testimony from the Applicant (T-3) Bobbi Wadsworth, of 45 W 100 N, Blackfoot, who testified to the details of the Application, and that she would like to offer additional care and oversight of her aging mother with the use of her land. Commissioner Watson confirmed the location of the new structure and that it would meet the required setbacks.
 5. Testimony in a position of support or in a position of opposition was received.
 6. Testimony in a neutral position was presented by (T-4) Kip Wadsworth, of 45 W 100 N, Blackfoot, ID, who testified that he is the property owner who addressed the driveway locations and mentioned that the intent is to connect the two driveways into one circular driveway, which would improve the access for emergency vehicles or for other access. Mr. Wadsworth also provided clarification that the front of the new temporary structure will be completely behind their residence.
 7. With no need for rebuttal testimony from the Applicant, Chairman Adams closed the Public Hearing for this Application and commenced Commission discussion. Commissioner Jolley testified that he appreciates that Bingham County Code allows for this as an option for landowners. The Commission did not express any concerns with the Application.

II. REASON

The Planning and Zoning Commission found:

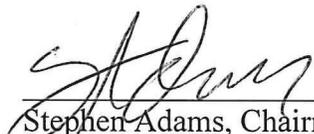
1. that a Conditional Use Permit is required for a Temporary Secondary Dwelling in a "R/A" Agricultural Zone as per Bingham County Code Section 10-5-3, *Land Use Chart*, and the Application was filed in accordance with the Code; and
2. pursuant to Bingham County Code Section 10-7-4(B), each lot, tract, or parcel of property shall be considered a buildable parcel and be allowed one additional temporary dwelling for a medical hardship with an approved Conditional Use Permit; and
3. the modular home meets the requirements of a temporary dwelling as provided for in Bingham County Code Section 10-7-4. The Commission confirmed with the Applicant that there is adequate parking and that setbacks can be met. Additionally, the Applicants have received an approved Septic Permit for the structure's connection and have procured permission from the Idaho Department of Water Resources for use of an existing well on the property; and
4. that the request requires an additional approval by the Commission as the parcel is less than 2.00 acres in size pursuant to Bingham County Code Section 10-7-4(B)(2); and
5. the Application met the requirements of Bingham County Code Section 10-7-4(F) as the Applicant provided a letter from Guss Grimmett, FNP-C, regarding the necessity of the requested recipient's medical conditions for which the temporary secondary dwelling is sought; and
6. the Application met the requirements of Bingham County Code Section 10-7-4(G-H) as the Applicant provided a statement acknowledging compliance with the requirement to remove the temporary secondary dwelling from the property in a timely manner, when no longer necessary. Additionally, the Commission discussed having Planning Staff request an updated letter from a licensed physician verifying the necessity of the second temporary dwelling and the need for medical assistance of the recipients; and
7. the Application met the requirements of Bingham County Code Section 10-8-2 as the contents of the Application were complete; and
8. the Public Hearing met the notice requirements of Idaho Code Title 67, Chapter 65, and Bingham County Code Section 10-3-6.

III. DECISION

Based on the record, Commissioner Bingham moved to approve the Conditional Use Permit Application requested by Kip and Bobbi Wadsworth to place a 2nd temporary dwelling for a medical hardship to assist in the care of mother Vivian Fisher, on less than 2 acres, located at 45 W 100 N, Blackfoot, Idaho, in an "R/A" Residential/Agriculture Zoning District as proposed SUBJECT to the following condition:

- (1) That an updated letter from a licensed physician attesting to the continued need for Vivian Fisher's care be provided to Planning and Development Services every 2 years.

Commissioner Watson seconded the motion. Commissioners Bingham, Watson, Johns, Jolley, and Winder voted in favor. The motion passed.



Stephen Adams, Chairman
Bingham County Planning and Zoning Commission

10-8-25
Date