

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

PROPERTY OWNERS & APPLICANTS: The Armando & Katie Flores Family Trust

Requested Action: Property Owners and Applicants, Armando and Kathrine Flores of the Armando and Katie Flores Family Trust, requested a Conditional Use Permit for a temporary secondary dwelling to be placed on their property located at 486 W 300 N, Blackfoot, ID, in a Residential/Agriculture Zoning District, to allow them to assist in caring for their elderly mother. The manufactured home will be removed by the Applicants when it is no longer medically necessary. 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.

Property Location: 486 W 300 N, Blackfoot, Idaho. Parcel No. RP0302005 Township 2 South, Range 35 East, Section 17, consisting of approx. 2.31 acres

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

Public Hearing Date: October 8, 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. Planning and Development Services 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) Groveland Sewer and Water District submitted testimony in a neutral position, stating GWSD does not have a sewer or water connection available within reasonable proximity to the property.
- (T-2) Bingham County Public Works submitted testimony in a neutral position, stating they have no objections as long as no new approaches are constructed.
- 3. Ms. Jackman corrected for the record that the temporary structure is a manufactured home, not a modular home. Commissioner Winder questioned whether the setback distances are met with the proposed structure, to which Ms. Jackman confirmed and added that the setback distances will also be verified to be compliant at the time a building permit is submitted.
- 4. With no further questions from the Commission, testimony from the Applicant (T-3) Armando Flores, of 189 E Pacific Street, Blackfoot, ID, was received. Mr. Flores testified that he is trying to relocate his mother from where she currently resides to this location, noting that this property provides better access for emergency vehicles if needed than her current residential location.
- 5. Testimony in a position of support, in neutral, nor in a position of opposition was received. Chairman Adams then closed the Public Hearing for this Application.
- 6. During Commission discussion, Chairman Adams suggested a condition that an updated letter from a physician be provided every two (2) years, verifying the necessity of the temporary structure. Commissioner Jolley questioned whether it was necessary, as it appears the use of the temporary structure will be long-term. Chairman Adams provided an example of a similar Application approved in the past where the person the hardship was granted had passed away, and the temporary secondary dwelling was not removed because the County was unaware of the death. Commissioner Watson asked if having an Affidavit from the property owner would be more enforceable than an undated written statement acknowledging that the structure must be removed when no longer used for this hardship purpose. The Commission discussed an Affidavit but determined the Code and updated physical letter were sufficient. Lastly, Commissioner Winder verified with Director Olsen that the process for obtaining a follow-up letter every two years is not overly burdensome for her staff. With no need for rebuttal testimony from the Applicant, Chairman Adams closed the Public Hearing for this Application and commenced Commission discussion.

II. REASON

The Planning and Zoning Commission found:

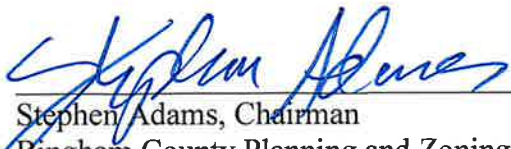
1. that a Conditional Use Permit is required for a Temporary Secondary Dwelling in a Residential/Agricultural zone pursuant to Bingham County Code Section 10-5-3, *Land Use Chart*; and
2. pursuant to Bingham County Code Section 10-7-4(B), each lot, tract, or parcel of property shall be considered a buildable parcel and be allowed one additional temporary dwelling for a medical hardship with an approved Conditional Use Permit; and
3. the manufactured 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. the Application met the requirements of Bingham County Code Section 10-7-4(F) as the Applicant provided a letter from Jed Willardson, PA-C, regarding the necessity of the requested recipient's medical conditions for which the temporary secondary dwelling is sought; and
5. the Application met the requirements of Bingham County Code Section 10-7-4(G) and (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
6. the Application met the requirements of Bingham County Code Section 10-8-2 as the contents of the Application were complete; and
7. 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 Jolley moved to approve the Conditional Use Permit Application requested by Armando and Katie Flores to place a 2nd temporary dwelling for a medical hardship to assist in the care of their mother, Mary Flores, located at 486 W 300 N, Blackfoot, Idaho, in an "R/A" Residential/Agriculture Zoning District as proposed subject to the following conditions:

1. That an updated letter from a licensed physician attesting to the continued need for Mary Flores' care be provided to Planning and Development Services every 2 years.

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



Stephen Adams, Chairman
Bingham County Planning and Zoning Commission

11-10-25
Date