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OFFICIAL RECORD OK/ ✓
BANNOCK COUNTY IDAHO

RECORDED AT REQUEST OF
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BANNOCK COUNTY

21902509

2019 FEB 25 P 4: 28

BANNOCK COUNTY PLANNING & DEVELOPMENT COMMISSION FINDINGS AND ORDER

INTRODUCTION

REQUEST: The applicant, Keith Judy petitioned for a variance to decrease the setbacks from a wetland and riparian area as outlined in §327 – TABLE OF BUILDING BULK AND PLACEMENT STANDARDS of the Bannock County Zoning Ordinance.

APPLICANT/OWNER:

Keith Judy
9275 West Autumn Lane
Pocatello, ID 83204

PARCEL NUMBER AND LOCATION: The parcel number is R4013023700 and is addressed at 9275 West Autumn Lane, Pocatello, Idaho, 83204.

FINDINGS:

JUSTIFICATION FOR THE DECISION/CRITERIA, STANDARDS AND FACTS RELIED UPON

SITE CHARACTERISTICS AND ZONING:

ZONING: Residential Suburban
PROPERTY SIZE: ~ 3.92 acres
VIEWS: The property is visible from West Autumn Lane.

EXISTING STRUCTURES: None
OTHER: Slope, wetland/riparian areas

NOTICE AND TESTIMONY REQUIREMENTS:

Notice of the public hearing was completed according to statutory requirements. Public comment was taken according to statutory requirements.

REQUIRED FINDINGS FOR VARIANCE:

There is not a reasonable alternative.

This is based on:

1. The lot does contain a wetland/riparian area based on National Wetlands Inventory Map.
2. Slopes and existing development of the lots prohibits a reasonable alternative.

The variance is not in conflict with the public interest.

This is based on:

1. Set backs are adequate.
2. Existing development does not affect riparian area.
3. No testimony was presented in opposition to the application.

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The variance will not adversely affect adjacent property.

This is based on:

- 1. Existing homesite is already there.
- 2. The previous homesite was not a problem to adjacent property.

If the variance is not granted, the applicant will suffer undue hardship caused by the physical characteristics of the site.

This is based on:

- 1. The lot contains steep slopes.
- 2. It would be cost prohibitive to redevelop the lot with all new infrastructure.

Additional facts relied upon in which the proposed use does cause an undue hardship caused by the physical characteristics of the site are:

ORDER: CONCLUSION AND DECISION

The Planning and Commission, pursuant to the aforementioned, finds that the request of Keith Judy for a Variance, as described in the application, shall be approved.

Motion by Adam Waldron, seconded by Del Owens to adopt the foregoing Findings and Order.

ROLL CALL:

Councilperson Tillotson	Voted Yay
Councilperson Owens	Voted Yay
Councilperson Waldron	Voted Yay
Councilperson Smith	Voted Yay

Councilperson Adams was absent.

Motion to **(approve)** **(deny)** **(table)** carried by a 4 to 0 vote.

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Dated this 25th day of FEBRUARY, 2019.

21902509

Signed by *Sherril Tillotson*
CHAIRPERSON

ACKNOWLEDGEMENT CERTIFICATE

State of Idaho)
S.S.
County of Bannock)

On this 25th day of February, in the year of 2019, before me Alisa Hymas, a notary public, personally appeared Sherril Tillotson, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that (she) (he) executed the same.

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Alisa Hymas
Notary Public
My Commission Expires on 12-4 20 21

