BEFORE THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF BONNEVILLE, STATE OF IDAHO

IN RE:
The Application for amendment of the Zoning Ordinance from RA-1 to R-1 (Single Family Residential) Requested by Glenna Goeken. 750 Amy Lane

(FINDINGS OF FACT, CONCLUSIONS AND DECISION)

This matter comes before the Bonneville County Commissioners as a request to amend the Zoning Ordinance on a parcel of land from RA-1 (Residential Agricultural) to R-1 (Single Family Residential). The request is being made by Glenna Goeken, on property located at 750 Amy Lane. The Planning and Zoning Board heard this matter on August 31, 2016 and recommended approval of the rezone request. A subsequent hearing was held by the County Commissioners on October 5, 2016. After having reviewed the testimony, the Zoning Ordinance and the Comprehensive Plan and the reference information submitted the Commissioners make the following findings.

1. The property is shown as RA-1 (Residential Agricultural) on the County Zoning Map.

2. The parcel is rectangular in shape and is currently designated as an Urban Residential area on the Comprehensive Plan of Bonneville County.

3. That the parcel is a part of the existing Mountain View Subdivision.

4. The parcel of land has not been used for agricultural uses for a long period of time.

5. That the parcel has been platted and developed as a residential subdivision lot for many years. It has frontage on two separate streets with frontage on Leroy of over 400' in length.

6. The parcel is located immediately adjacent to two other platted subdivision lots to the east which were previously replatted into

1 Findings of Fact
Conclusions of Law and Decision

COMMISSIONERS' MINUTES
Exhibit No. 177-14
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two smaller lots. This is the proposed purpose for the rezoning of this parcel.

7. The developer has proposed uses, which require that the tract be zoned R-1 to be redeveloped

8. That the two lots created by the replat will be serviced by water via a shared well and community sewer provided by Iona Bonneville Sewer District.

9. The use as proposed would be residential in character.

10. The developer is proposing a water system and a sanitary sewer system that complies with health regulations.

CONCLUSIONS

A. Inasmuch as this rezone is for a residential use which is similar to or equal to other zones and platted lots in the area it is determined that it would not have any more significant impact on property values than does any of the existing zoned areas. "The zone should permit a variety of dwelling types which will mix or distribute the population of neighborhoods."

B. The County cannot discriminate against a residential zone based on a concern of the class or type of people who might occupy it. We are to, as specified in the Comprehensive Plan, "Encourage the development of a variety of residential types, prices and densities within the county."

C. The parcel is limited for agricultural use because of its size and boundary limitations and topography.

D. Bonneville County's Comprehensive Plan states that we are to locate residential uses in areas that is already residential in nature and can meet the needs of the public by being located near transportation corridors. That inasmuch as the parcel is adjacent to several platted streets, a major arterial and near or adjacent to other residential uses and zones, the board determines that the proposed use would be compatible with the adjoining uses and compliant with the comprehensive plan for these areas of concern.

E. Bonneville County's Comprehensive Plan requires that we are to protect the general health safety and welfare of the citizens. This Board has determined that the proposed use could affect the local residents unless appropriate steps are taken to mitigate any potential adverse effects present or future. The approval of this amendment will be conditioned upon the following facts: 1. That street lighting will be provided. 2. That adequate paving will be installed to meet the requirements of the County. 3. That adequate plans be made to provide a viable system for potable water and irrigation. 4. That a sewer plan be submitted that will meet the long-term use of the area.

2 Findings of Fact
Conclusions of Law and Decision
F. The developer must submit a subdivision plat and have it recorded prior to any new construction to verify compliance with the requirements as specified in this decision.

G. The County must anticipate problems and try to resolve them. In that it is difficult to fully evaluate a plan for implementation prior to its being built, the county reserves the right to make changes in the development after a subdivision plat is submitted. This will only be done if it is found that there were errors in the original design, which cause problems that were to have been resolved in the initial design.

DECISION

Based upon the above facts it is the decision of the Bonneville County Commissioners that the request for amendment from RA-1 (Residential Agricultural) to R-1 (Single Family Residential) be approved. The Zoning Administrator is to hereby notify the applicant of the decision of this board.

DATED this 9th day of November 2016.

BONNEVILLE COUNTY COMMISSIONERS

[Signatures]

Roger S. Christensen  Chairman
Lee Staker  Member
Dave Radford  Member

3 Findings of Fact
Conclusions of Law and Decision