



Planning & Zoning Commission
Hearing Date: March 19, 2026
Canyon County Development Services Department

PLANNING DIVISION STAFF REPORT

CASE NUMBER: ZV2025-0003

PROPERTY OWNER: Rohrbacher Family Trust

APPLICANT: Harold Rohrbacher

APPLICATION: Variance – Greater than 33%

LOCATION: The subject property is located at the Northwest intersection of Shelton Rd and Rohrbacher Ln, also referenced as Parcel R38845, within the NE ¼ of Section 10, Township TN, Range 5W; BM; Canyon County, Idaho.

PLANNER: Dane Adams, Associate Planner

REVIEWED BY: Dan Lister, Planning Supervisor

REQUEST:

The applicant, Rohrbacher Family Trust, represented by Harold Rohrbacher, is requesting a variance to reduce the side setback requirement in the Agricultural (“A”) zone from ten feet (10’) to three feet (3’) on the southern boundary of the subject property. The applicant is requesting a side setback variance in order to obtain an agricultural exempt building permit for the unpermitted structure.

PUBLIC NOTIFICATION:

Courtesy Agency notice:	January 20, 2026
Agency Hearing Notice:	February 12, 2026
Neighbor notification within 600 feet mailed on:	February 12, 2026
Newspaper notice published on:	February 17, 2026
Notice posted on site on	February 17, 2026

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1. BACKGROUND:

Parcel R38845 (“the subject property”) is approximately 101.92 acres, zoned “A” (Agricultural), and has a future land use designation of “agriculture”. The subject property was divided in 1998 (LS2004-842), creating Parcels R38845010 and R38845. Since then, the subject property has not changed in size or configuration.

On June 12, 2025, a code enforcement case was opened regarding the unpermitted structure to which this variance request is in relation (CDEF2025-0126). On December 10, 2025, the applicant submitted this variance application to waive the side setback from 10’ to 3’. *Please see recommended condition 2, which would require the applicant to obtain a building permit within 30 days of approval.*

2. HEARING BODY ACTION:

Pursuant to Idaho Code section 67-6516 (Variance), each governing board shall provide, as part of the zoning ordinance, for the processing of applications for variance permits. A variance is a modification of the bulk and placement requirements of the ordinance as to lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, height of buildings, or other ordinance provision affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots. A variance shall not be considered a right or special privilege but may be granted to an applicant only upon a showing of undue hardship because of characteristics of the site, and that the variance is not in conflict with the public interest. Prior to granting a variance, notice and an opportunity to be heard shall be provided to property owners adjoining the parcel under consideration and the manager or person in charge of the local airport if the variance could create an aviation hazard as defined in section 21-501, Idaho Code. Denial of a variance permit or approval of a variance permit with conditions unacceptable to the landowner may be subject to the regulatory taking analysis provided for by section 67-8003, Idaho Code, consistent with the requirements established thereby.

Pursuant to CCCO §07-02-03, a variance is a modification of the bulk and placement requirements of this chapter as to lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, height of buildings, or other ordinance provision affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots.

Pursuant to CCCO §07-08-05, whenever the presiding party grants or denies a variance, it shall specify: (1) The ordinance and standards used in evaluating the application; (2) The reasons for approval or denial; and (3) If denied, what actions, if any, the applicant might propose to try to obtain the variance upon submission of a new application.

OPTIONAL MOTIONS:

Approval of the Application: “I move to approve ZV2025-0003, Rohrbacher, finding the application meets the criteria for approval under Section 07-08-03 of Canyon County Code of Ordinances, with the conditions listed in the staff report, finding that: *[Cite reasons for approval & insert any additional conditions of approval]*.”

Denial of the Application: “I move to deny ZV2025-0003, Rohrbacher, finding the application does not meet the criteria for approval under Section 07-08-03 of Canyon County Code of Ordinances, *[cite findings for denial based on the express standards outlined in the criteria & the actions, if any, the applicant could take to obtain approval (ref.ID.67-6519(5))]*.”

Table the Application: “I move to continue ZV2025-0003, Rohrbacher, to a *[date certain or uncertain]*.”

3. HEARING CRITERIA

Variance Code Analysis (CCCO §07-08-03)

Compliant			County Ordinance and Staff Review	
Yes	No	N/A	Code Section	Criteria
☒	☐	☐	07-08-03(1)	A variance shall be granted in compliance with Idaho Code section 67-6516, and notice and an opportunity to be heard shall be provided to property owners adjoining the subject property.
			Staff Analysis	Chapter 7, Article 8 of the Canyon County Code provides the variance process consistent with Idaho Code section 67-6516.

				Per CCCO §07-08-01, a complete application with fees was accepted on December 10, 2025 (Exhibit A). The request requires a public hearing due to the proposal exceeding a 33% modification to the County setback requirements. Noticing was completed per CCCO §07-05-01. Property owners within 600 feet were notified of the request and public hearing on February 12, 2026.
			07-08-03(2)	The presiding party shall ask and answer the following questions in their FCOs: A. Will granting the variance be consistent with the comprehensive plan? B. Do characteristics of the site create an undue hardship? C. Is the variance in conflict with the public interest?
☒	☐	☐	Staff Analysis	A. The variance request from 10' to 3' would not make the property incompatible with the goals and policies in Canyon County's 2030 Comprehensive Plan. - The 2030 Comprehensive Plan designates the future land use to be "A" Agricultural. The parcel is currently zoned "A" (Agricultural). The parcel was created in accordance with the zoning ordinance at the time. - The proposed variance supports the following goals and policies of the 2030 Comprehensive Plan. <u>Private Property:</u> G1.01.00: <i>Protect the integrity of individual property rights while safeguarding public health, safety, and welfare.</i> P1.01.03: <i>Ordinances and land-use decisions should avoid imposing unnecessary conditions or procedures on development approvals.</i> <u>Economic Development:</u> G3.01.00: <i>Promote a healthy and sustainable regional economy by retaining, expanding, and recruiting businesses to favorable locations.</i> G3.04.00: <i>Increase agricultural-based and supportive businesses.</i> P3.04.00: <i>Build Canyon County as the premier location for agricultural-based businesses of all sizes.</i> <u>Land Use and Community Design:</u> G4.01.00: <i>Support livability and high quality of life as the community changes over time.</i> P4.01.01: <i>Maintain a balance between residential growth and agriculture that protects the rural character.</i> P4.01.02: <i>Planning, zoning, and land-use decisions should balance the community's interests and protect private property rights.</i> G4.02.00: <i>Ensure that growth maintains and enhances the unique character throughout the County.</i> P4.02.01: <i>Consider site capability and characteristics when determining the appropriate locations and intensities of various land uses.</i> G4.03.00: <i>Develop land in a well-organized and orderly manner while mitigating or avoiding incompatible uses, protecting public health and</i>

				<i>safety, and creating a vibrant economy through sustainable land use planning.</i> G4.05.00: <i>Support a diversity of agricultural uses to sustain the agricultural and agriculturally related economy.</i> P4.05.01: <i>Promote future development and land-use decisions that do not create hardship for farmers and agricultural operators.</i> P4.05.03: <i>Encourage uses on agricultural parcels to be planned and placed to limit interference with farming operations, which may include clustering residences and other structures, placement near existing utilities and infrastructure, and placement to minimize conflicts with allowed agricultural uses on the proposed site and adjacent lands.</i> G4.06.00: <i>Development design should improve the area’s character and be compatible with the community’s visual appearance and the natural environment.</i> P4.06.01: <i>Encourage development design that accommodates topography and promotes conservation of agricultural land.</i> G4.07.00: <i>Protect rural qualities that make the County distinct and conserve and enhance the elements contributing to a good quality of life.</i> P4.07.01: <i>Plan land uses that are compatible with the surrounding community.</i> G4.08.00: <i>Maintain and enhance the aesthetic beauty of the county.</i> P4.08.01: <i>Protect and enhance the rural landscape as an essential scenic feature of the County.</i> B. The characteristics of the site <u>do</u> create hardship: • Canyon County Code or Idaho Code does not define undue hardship for the purposes of a variance. Section 67-6516 states a variance shall not be considered a right or special privilege but may be granted to an applicant only upon a showing of undue hardship because of characteristics of the site. The circumstances justifying the undue hardship must be “peculiar” to the property at issue (<i>City of Burley v. McCaslin Lumber Co., 107 Idaho 906, 693 P.2d 1108 (1984)</i>). • In the applicant’s letter of intent, the applicant states that due to the existing agricultural operations, as well as the site’s topography, the location of the structure was limited to where it was built. See Exhibit A2 for the full letter of intent. • These undue hardships can be seen in the site visit photos taken on January 30, 2026 (Exhibit C). • Staff finds that the aforementioned characteristics of the site <u>do</u> create hardship. C. The variance is not in conflict with public interest:
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				• The proposed variance is not expected to have an impact on the adjacent residence or emergency services' ability to access any parcels off Rohrbacher Lane. • Comment letters from Southwest District Health and Parma Fire District confirm that the proposed variance is not in conflict with public interest (Exhibit D).
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4. AGENCY COMMENTS:

Agencies including the City of Parma, Parma School District, Southwest District Health, Parma Fire District, Idaho State Fire Marshall, Notus-Parma Highway District, CenturyLink, Intermountain Gas, Idaho Power, Ziply, Farmer Cooperative Ditch Co., Canyon County Sheriff, Canyon County Emergency Management Coordinator, Canyon County Paramedics, Canyon County Assessor's Office, Canyon County Farm Bureau, Canyon County Building Department, Canyon County Code Enforcement, Canyon County Engineering Department, Canyon County GIS Department, Farm Service Agency, and the Idaho Agricultural Aviation Association were notified of the subject application.

Staff received agency comments from Southwest District Health and Parma Fire District. All agency comments received by the aforementioned materials deadline are located in **Exhibit D**.

Pursuant to Canyon County Ordinance 01-17-07B Materials deadline, the submission of late documents or other materials does not allow all parties time to address the materials or allow sufficient time for public review. After the materials deadline, any input may be verbally provided at the public hearing to become part of the record.

5. PUBLIC COMMENTS:

Staff received one (1) written public comment by the materials deadline of March 9, 2026. The public comment received was in support of the variance request and can be located in **Exhibit E**.

Pursuant to Canyon County Ordinance 01-17-07B Materials deadline, the submission of late documents or other materials does not allow all parties time to address the materials or allow sufficient time for public review. After the materials deadline, any input may be verbally provided at the public hearing to become part of the record.

6. SUMMARY & RECOMMENDED CONDITIONS:

In consideration of the application and supporting materials, staff concludes that the proposed variance request is **in compliance** with Canyon County Ordinance 07-08-03. A full analysis is detailed within the staff report.

Should the Planning and Zoning Commission find the request compliant with 07-08-03, staff recommends the following conditions:

1. All development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use.
2. Within 30 days of approval of this application, a building permit shall be applied for the unpermitted structure requiring the setback variance on Parcel R38845.

7. EXHIBITS:

A. Application Packet & Supporting Materials

1. Master Application
2. Letter of Intent
 - 2.1. Clarification email; Received: January 14, 2026

3. Agency Acknowledgement
4. Neighborhood Meeting Sign-in Sheet

B. Supplemental Documents

1. Parcel Tool
2. Cases Maps/Reports
 - 2.1. Aerial
 - 2.2. Small Ortho 1-Mile
 - 2.3. Vicinity
 - 2.4. Zoning and Classification
 - 2.5. Case Map and Summary
 - 2.6. Subdivisions with Report
 - 2.7. Dairy, Feedlot, and Gravel Pit Map
 - 2.8. Lot Classification Map
 - 2.9. Slope Map

C. Site Visit Photos: January 30, 2026

D. Agency Comments Received by: March 9, 2026

1. Southwest District Health; Received: January 20, 2026
2. Parma Fire District; Received: February 3, 2026

E. Public Comments Received by: March 9, 2026

1. Darren Wagstaff; Received: March 5, 2026

F. Draft FCOs

EXHIBIT A

Application Packet & Supporting Materials

Planning & Zoning Commission

Case# ZV2025-0003

Hearing date: March 19, 2026



VARIANCE >33%
PUBLIC HEARING - MASTER APPLICATION

PROPERTY OWNER	OWNER NAME: <u>DAN & CAROL ROHRBACHER FAMILY TRUST</u>	
	MAILING ADDRESS: <u>28253 SHELTON RD PARMA ID 83660</u>	
	PHONE: <u>208-880-7874</u>	EMAIL: <u>ROHRFARMS@FRONTIER.NET</u>
I consent to this application and allow DSD staff / Commissioners to enter the property for site inspections. If the owner(s) is a business entity, please include business documents, including those that indicate the person(s) who are eligible to sign.		
Signature: <u>Harold Rohrbacher</u> Date: <u>DEC 2, 2025</u>		

APPLICANT: IF DIFFERING FROM THE PROPERTY OWNER	APPLICANT NAME: <u>HAROLD ROHRBACHER</u> ?	
	COMPANY NAME:	
	MAILING ADDRESS: <u>28253 SHELTON RD PARMA 83660</u>	
	PHONE: <u>208-880-7874</u>	EMAIL: <u>ROHRFARMS@FRONTIER.NET</u>

SITE INFO	STREET ADDRESS: <u>28253 SHELTON RD PARMA</u>	
	PARCEL NUMBER: <u>R38845</u>	
	PARCEL SIZE:	
	FLOOD ZONE (YES/NO) <u>No</u>	ZONING DISTRICT:

FOR DSD STAFF COMPLETION ONLY:

CASE NUMBER	<u>ZV2025-0003</u>	DATE RECEIVED:	<u>12.10.25</u>
RECEIVED BY:	<u>LISTER</u>	APPLICATION FEE \$	<u>1,350</u>
		☒ MO	☐ CC CASH
<u>#4072</u>			

12/09/25

To Canyon County Development Services,

I am requesting a variance for a building that was constructed on the Dan and Carol Rohrbacher family trust property. The said building is too close to the property line of the house lot of Harold and Elizabeth Rohrbacher. We are a family farm east of Parma. Harold and Elizabeth have farmed with Dan and Carol (Harold's Parents) since 1988.

The building in question is a major contributor to our farming operation and is used to store crops as well as farm equipment so that both crops and equipment can be protected from the elements and sun.

The site was chosen because it was of adequate size and topography to accommodate the building we needed and wouldn't affect production acreage.

Had we placed this building anywhere else that would accommodate the 9050 square foot size and topography needed we would have had to go out in to a field in which we are currently farming to do so hence the decision was made to place it where it currently exists.

The building is also centrally located with other adjacent buildings that support our farming operation as well as convenience being close to our residence.

Taking these options into consideration we would appreciate the cooperation of the county in helping us to resolve any concerns having to do with codes that may be in question.

Harold Rohrbacher

A handwritten signature in black ink, appearing to read "Harold Rohrbacher", written in a cursive style.

Dane Adams

From: Elizabeth Rohrbacher <rohrfarms@frontiernet.net>
Sent: Wednesday, January 14, 2026 4:00 PM
To: Dane Adams
Subject: [External] Letter For Set Back change

To Whom it may concern,

Rohrbacher Family Trust is requesting to change the variance from
10 feet to 3 feet.

Thank You, Harold Rohrbacher

**AGENCY ACKNOWLEDGMENT**

Date: NOVEMBER 6, 2025
Applicant: ROHRBACHER DAN + CAROL FAMILY TRUST A
Parcel Number: R38845
Site Address: 28253 SHELTON RD PARMA

SIGNATURES DO NOT INDICATE APPROVAL OR COMPLETION OF OFFICIAL REVIEW.

The purpose of this form is to facilitate communication between applicants and agencies so that relevant requirements, application processes, and other feedback can be provided to applicants early in the planning process. Record of communication with an agency regarding the project can be submitted instead of a signature. After the application is submitted, impacted agencies will be sent a hearing notification by DSD staff and will have the opportunity to submit comments.

Southwest District Health:

☒ Applicant submitted/met for informal review.

Date: 11/12/2025 Signed: Anthony Lee
Authorized Southwest District Health Representative
(This signature does not guarantee project or permit approval)

Fire District:

District: Parma

☒ Applicant submitted/met for informal review.

Date: 11/6/25 Signed: [Signature]
Authorized Fire District Representative
(This signature does not guarantee project or permit approval)

Highway District:

District: Notus-Parma Highway District

☒ Applicant submitted/met for informal review.

Date: 11-6-25 Signed: [Signature]
Authorized Highway District Representative
(This signature does not guarantee project or permit approval)

Irrigation District:

District: Farmers Co-op Ditch Co.

☒ Applicant submitted/met for informal review.

Date: 11-6-25 Signed: Victor Brumby - Manager
Authorized Irrigation Representative
(This signature does not guarantee project or permit approval)

Area of City Impact

City: City of Parma

☒ Applicant submitted/met for informal review.

Date: 11/6/2025 Signed: [Signature]
Authorized AOCI Representative
(This signature does not guarantee project or permit approval)

NEIGHBORHOOD MEETING SIGN-UP**CANYON COUNTY DEVELOPMENT SERVICES DEPARTMENT**111 North 11th Avenue, #310, Caldwell, ID 83605zoninginfo@canyoncounty.id.gov Phone: 208-402-4164**NEIGHBORHOOD MEETING SIGN UP SHEET****CANYON COUNTY ZONING ORDINANCE §07-01-15**

Applicants shall conduct a neighborhood meeting for any proposed comprehensive plan amendment, zoning map amendment (rezone), subdivision, variance, conditional use, zoning ordinance map amendment, or other requests requiring a public hearing.

SITE INFORMATION

Site Address: 28253 SHELTON RD	Parcel Number: R 38845
City: PARMA	State: IDAHO ZIP Code: 83660
Notices Mailed Date: NOV. 13, 2025	Number of Acres: Current Zoning:
Description of the Request: VARIANCE	

APPLICANT / REPRESENTATIVE INFORMATION

Contact Name: HAROLD ROHRBACHER
Company Name: DAN & CAROL ROHRBACHER FAMILY TRUST
Current address: 28253 SHELTON RD
City: PARMA State: ID ZIP Code: 83660
Phone: 208-880-1401 Cell: 208-880-7874 Fax: —
Email:

MEETING INFORMATION

DATE OF MEETING: DEC 2 2025	MEETING LOCATION: 28253 SHELTON RD PARMA	
MEETING START TIME: 1:30 PM	MEETING END TIME: 2:30 PM	
ATTENDEES:		
NAME (PLEASE PRINT)	SIGNATURE:	ADDRESS:
1. HAROLD ROHRBACHER	<i>[Signature]</i>	28253 SHELTON RD PARMA
2. Elizabeth Rohrbacher	<i>[Signature]</i>	28253 SHELTON RD PARMA, ID
3.		
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NEIGHBORHOOD MEETING CERTIFICATION:

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accordance with Canyon County Zoning Ordinance § 07-01-15.

APPLICANT/REPRESENTATIVE (Please print):

HAROLD ROHRBACHER

APPLICANT/REPRESENTATIVE (Signature): Harold Rohrbacher

DATE: DEC / 2 / 25

EXHIBIT B

Supplemental Documents

Planning & Zoning Commission

Case# ZV2025-0003

Hearing date: March 19, 2026

R38845

PARCEL INFORMATION REPORT

2/24/2026 11:45:37 AM

PARCEL NUMBER: R38845

OWNER NAME: ROHRBACHER DAN AND CAROL FAMILY TRUST A

CO-OWNER: ROHRBACHER HAROLD KIRK TRUSTEE

MAILING ADDRESS: 28253 SHELTON RD PARMA ID 83660

SITE ADDRESS: 0 SHELTON RD

TAX CODE: 2260000

TWP: 5N RNG: 5W SEC: 10 QUARTER: NE

ACRES: 101.92

HOME OWNERS EXEMPTION: No

AG-EXEMPT: Yes

DRAIN DISTRICT: NOT In Drain Dist

ZONING DESCRIPTION: AG / AGRICULTURE

HIGHWAY DISTRICT: NOTUS-PARMA HWY #2

FIRE DISTRICT: PARMA FIRE

SCHOOL DISTRICT: PARMA SCHOOL DIST #137

IMPACT AREA: NOT In Impact Area

FUTURE LAND USE 2011-2022 : RES

FLU Overlay Zone Desc 2030:

FLU RR Zone Desc 2030:

FUTURE LAND USE 2030: AGRICULTURE

IRRIGATION DISTRICT: FARMERS COOPERATIVE DITCH CO

**FEMA FLOOD ZONE: X FLOODWAY: NOT In FLOODWAY FIRM PANEL:
16027C0066G**

WETLAND: NOT In WETLAND

NITRATE PRIORITY: NO Nitrate Prio

FUNCTIONAL Classification: NOT In COLLECTOR

INSTRUMENT NO. : 2020018906

SCENIC BYWAY: NOT In Scenic Byway

**LEGAL DESCRIPTION: 10-5N-5W NE NE 1/4-S & E OF DR,, N 1/2 SE 1/4-S & E OF DR LS TX
98323 IN NWSE**

PLATTED SUBDIVISION:

SMALL CITY ZONING:

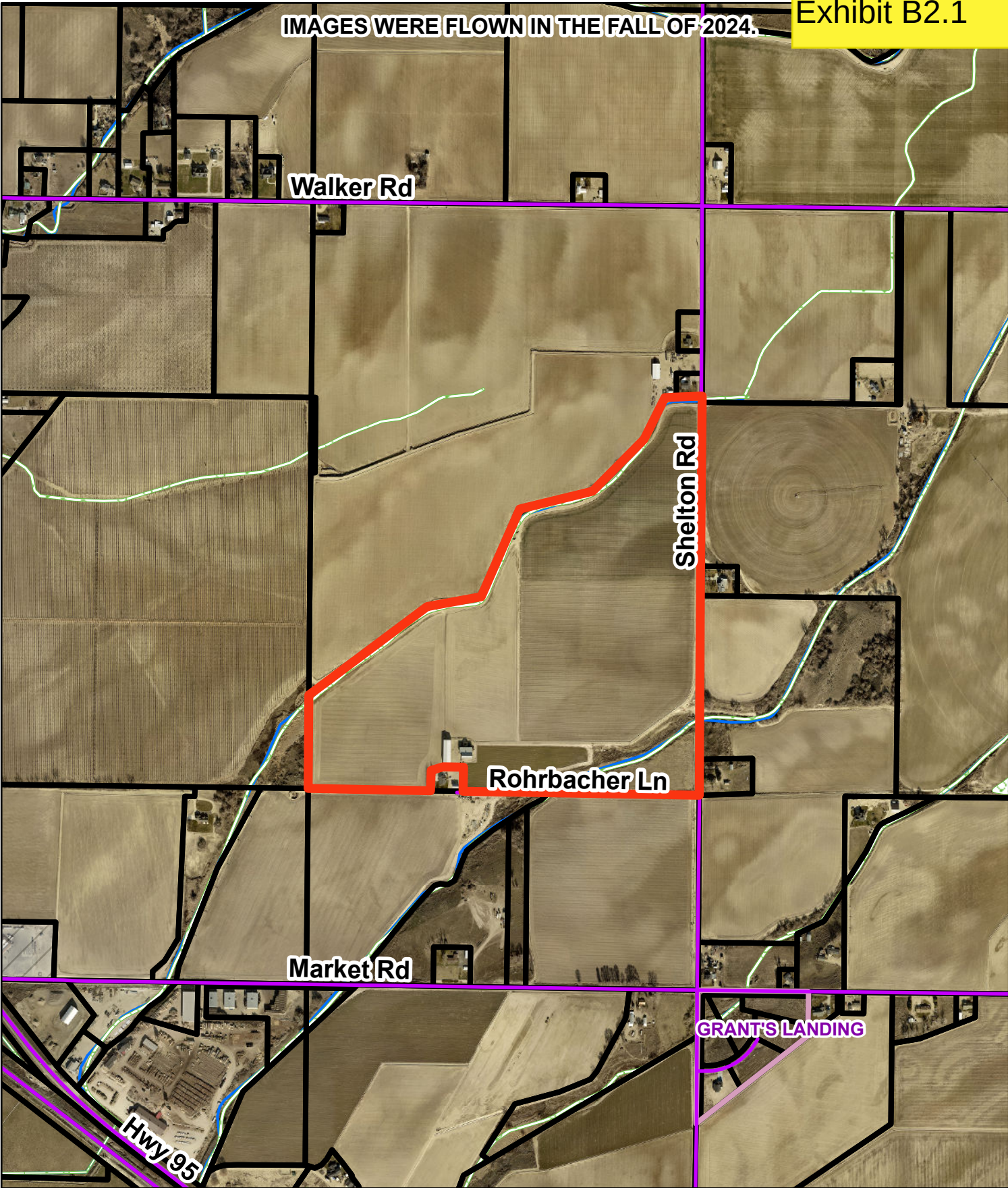
SMALL CITY ZONING TYPE:



DISCLAIMER:

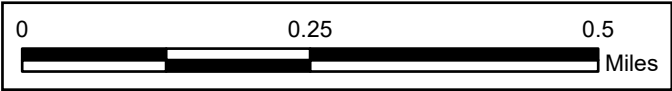
1. FEMA FLOOD ZONE REFERS TO THE DESIGNATED FEMA FLOOD AREAS, POSSIBLY ONE (1) OF SEVERAL ZONES - SEE FIRM PANEL NUMBER.
2. THIS FORM DOES NOT CALCULATE DATA FOR PARCELS INSIDE CITY LIMITS SO WATCH YOURSELVES.
3. WETLANDS CLASSIFICATION WILL POPULATE IF "ANY" PORTION OF SAID PARCEL CONTAINS A DELINEATED WETLAND.
4. COLLECTORS AND ARTERIALS ARE BASED ON THE SHERIFFS CENTERLINE WITH AN ADDITIONAL 100 FOOT BUFFER.

CANYON COUNTY ASSUMES NO LIABILITY FOR DIRECT, INDIRECT, SPECIAL, OR CONSEQUENTIAL DAMAGES RESULTING FROM THE USE OR MISUSE OF THIS PARCEL INFORMATION TOOL OR ANY OF THE INFORMATION CONTAINED HEREIN.



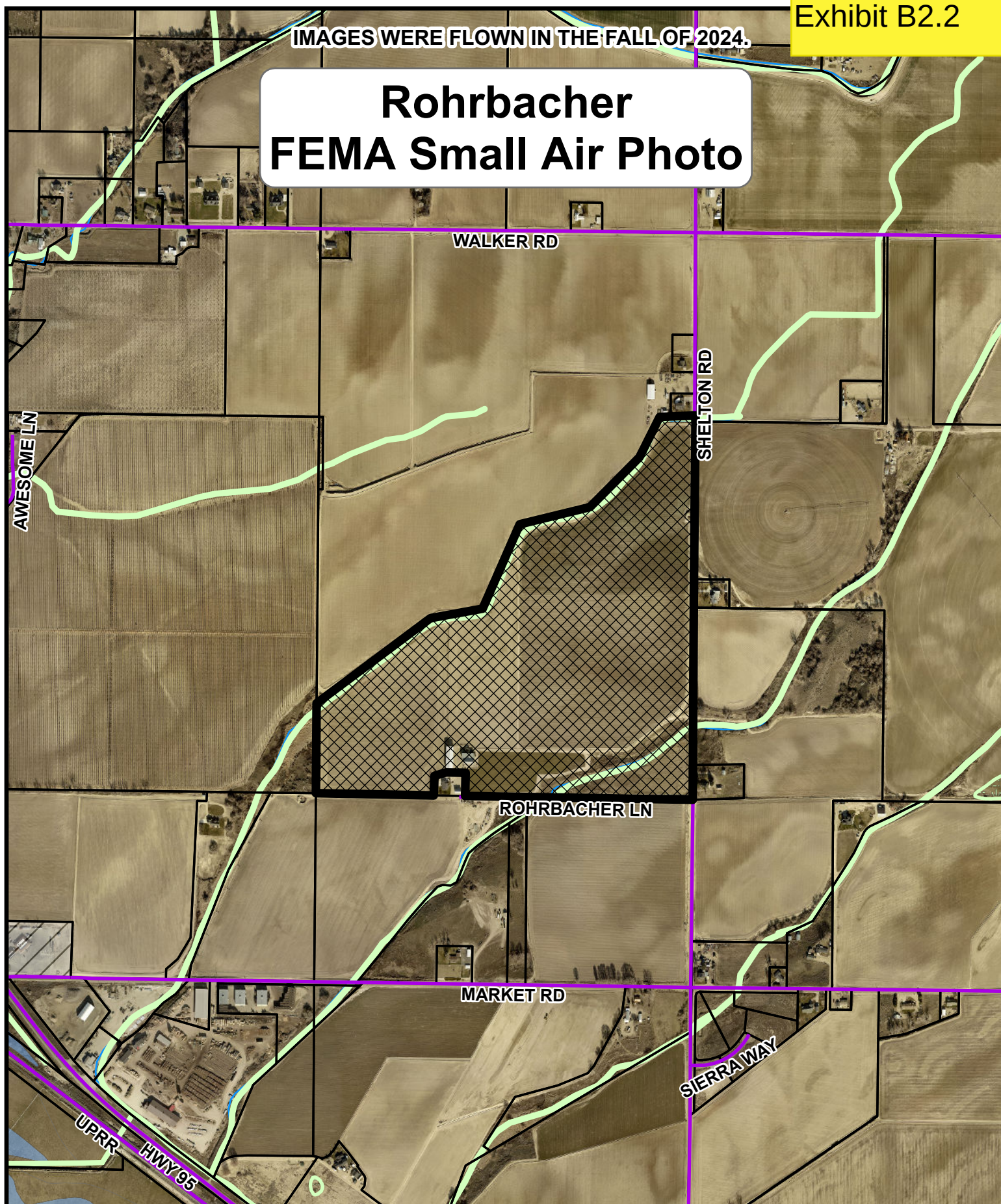
Legend

- Wetlands
- City Limits



IMAGES WERE FLOWN IN THE FALL OF 2024.

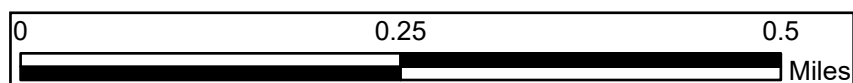
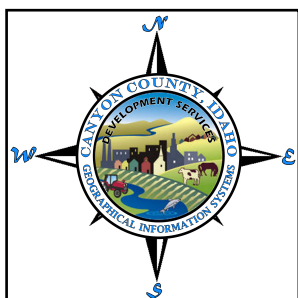
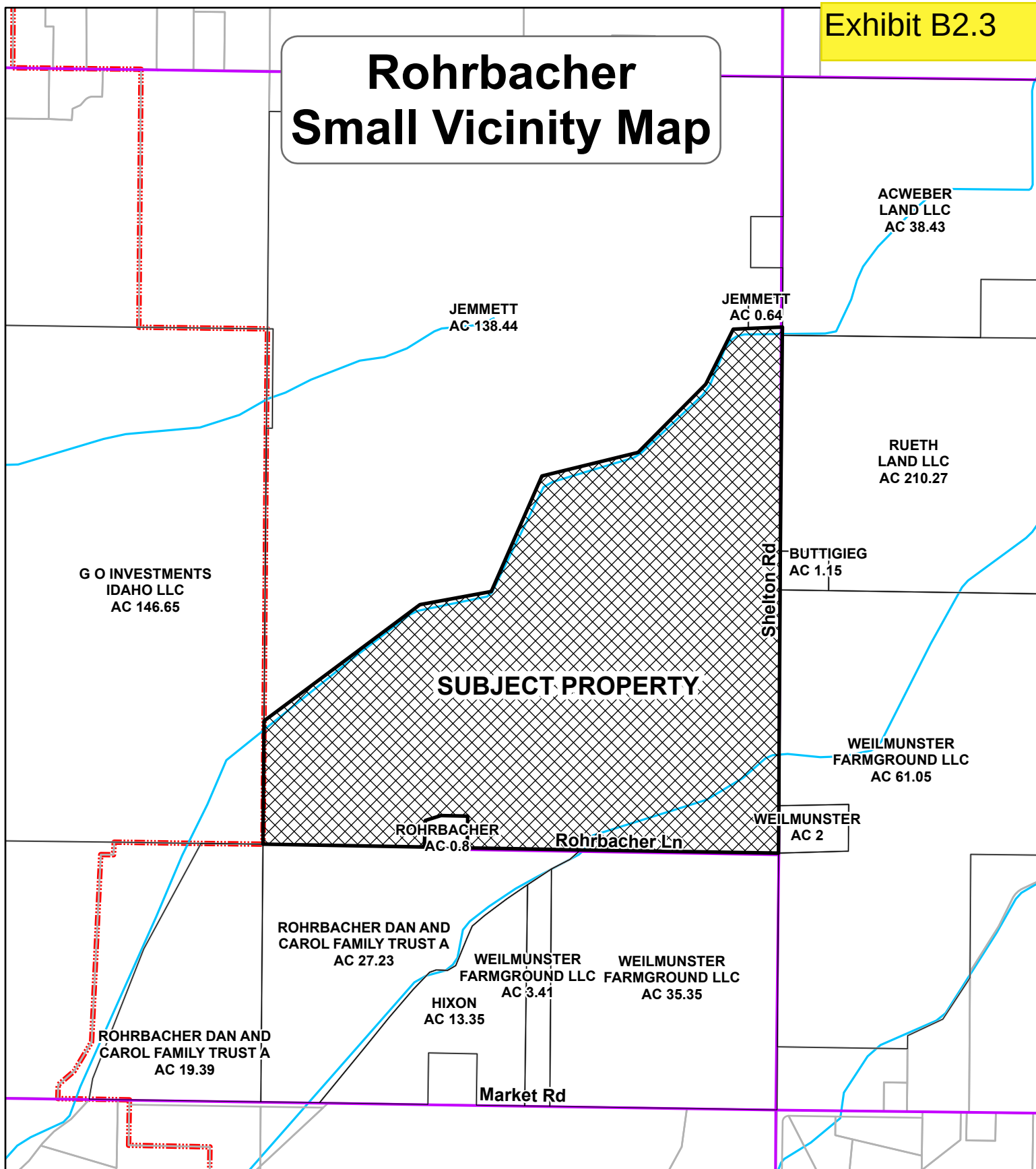
Rohrbacher FEMA Small Air Photo

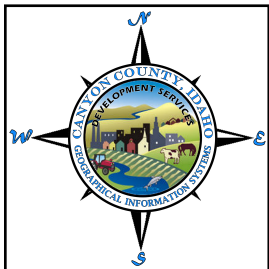


Legend	
SUBJECT_PROPERTY	A
TAXLOTS	AE
WETLANDS	X



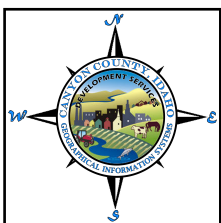
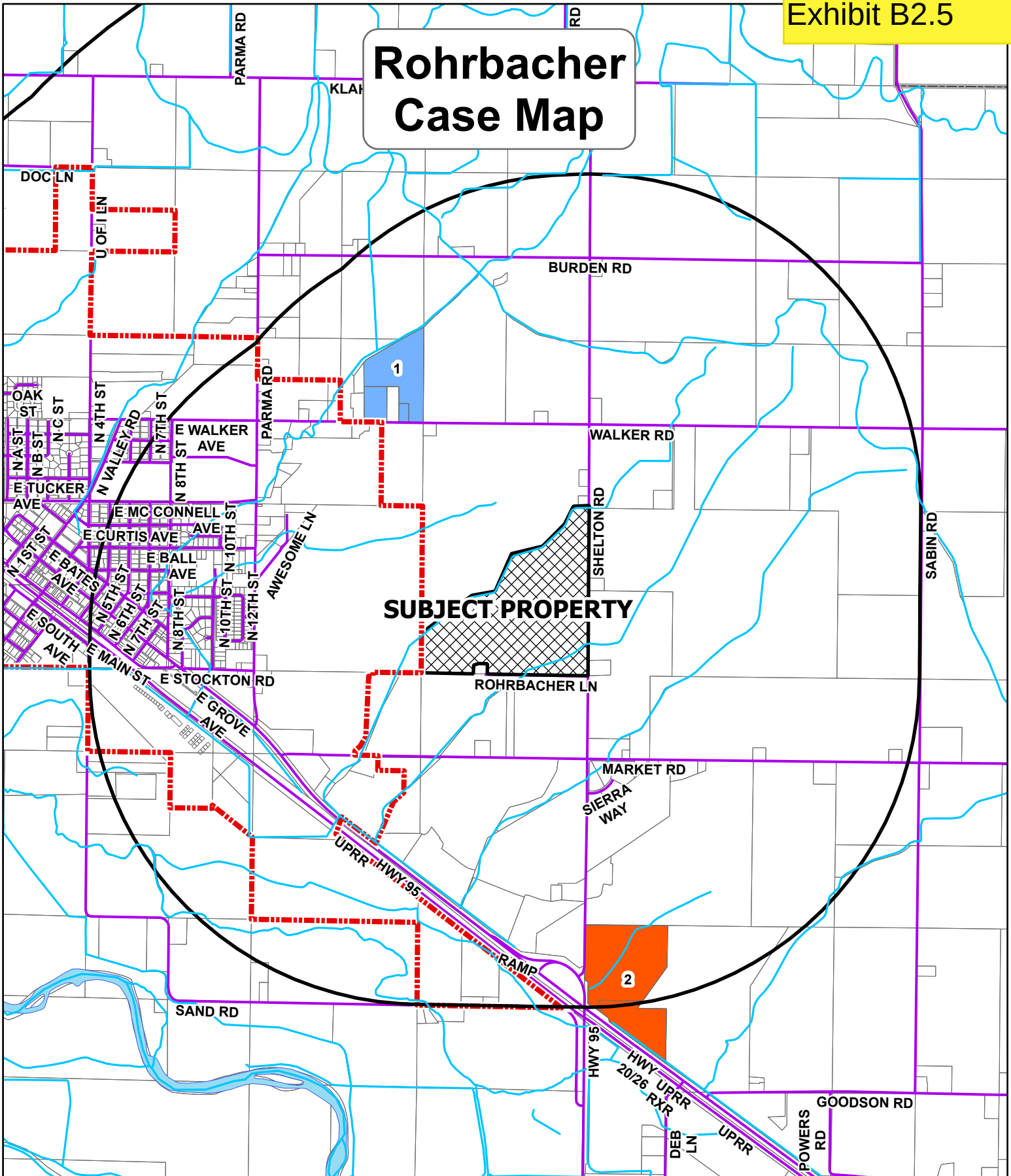
Rohrbacher Small Vicinity Map



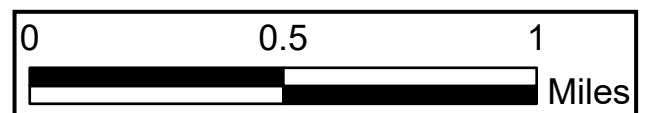


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- A horizontal scale bar with a black border. It is divided into three equal segments by two vertical tick marks. Above the first segment is the number '0', above the second is '0.25', and above the third is '0.5'. To the right of the bar, the word 'Miles' is written.

Rohrbacher Case Map



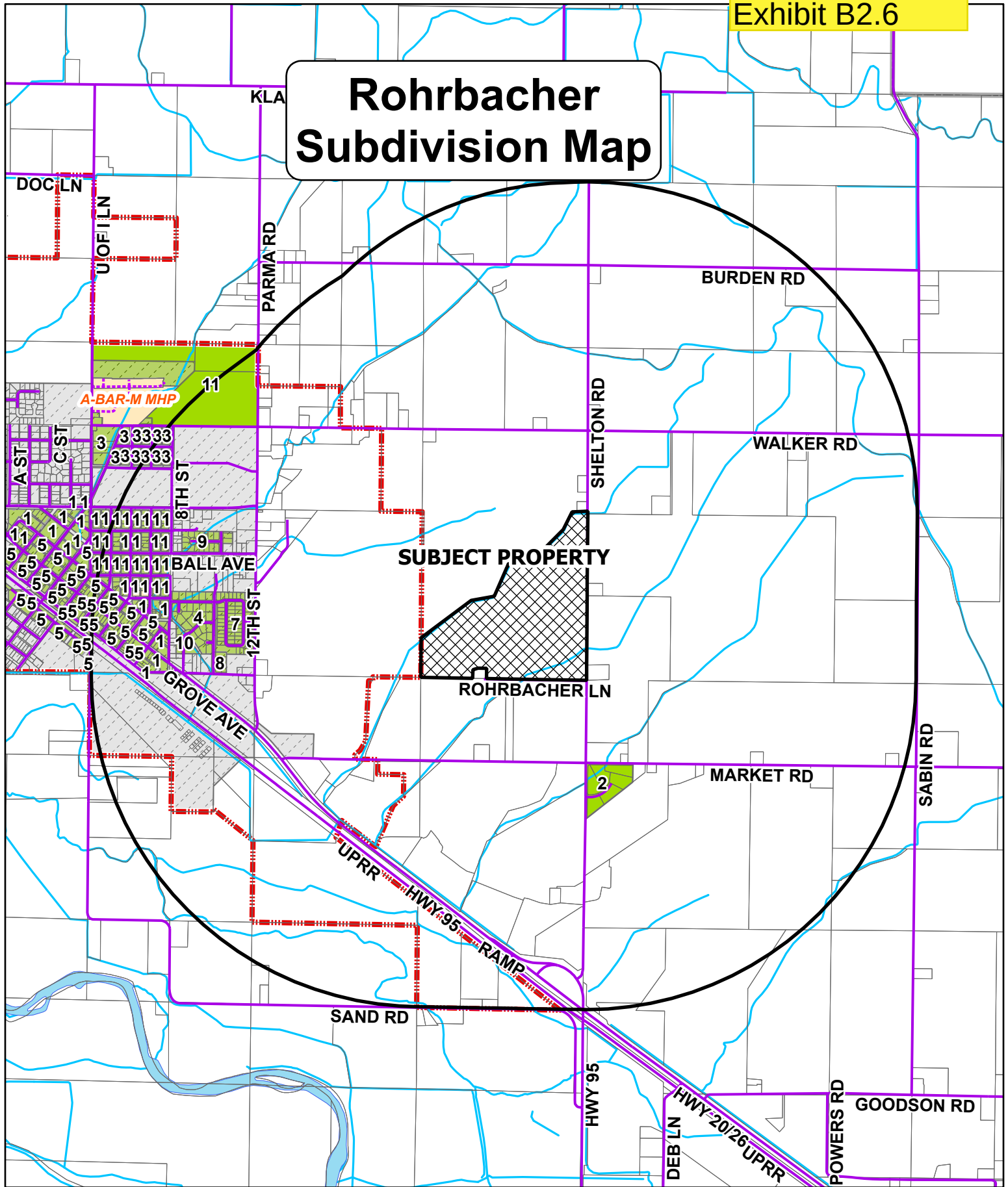
Year	
2020	2023
2021	2024
2022	2025



CASE SUMMARY

ID	CASENUM	REQUEST	CASENAME	FINALDECIS
1	RZ2021-0005	Rezone Ag to RR	Dudley Matt	APPROVED
2	DA2019-0006-MOD	DA Termination - CR-M1 to A (PH2016-56, PH2016-71, DA2019-0006)	Treasure Valley Renewables	DA TERMINATED

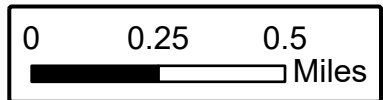
Rohrbacher Subdivision Map



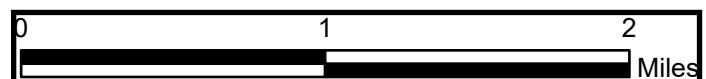
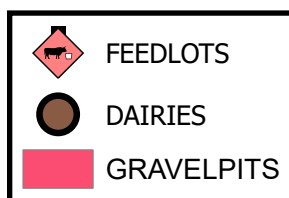
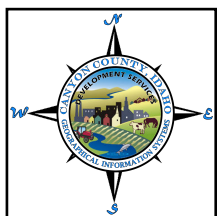
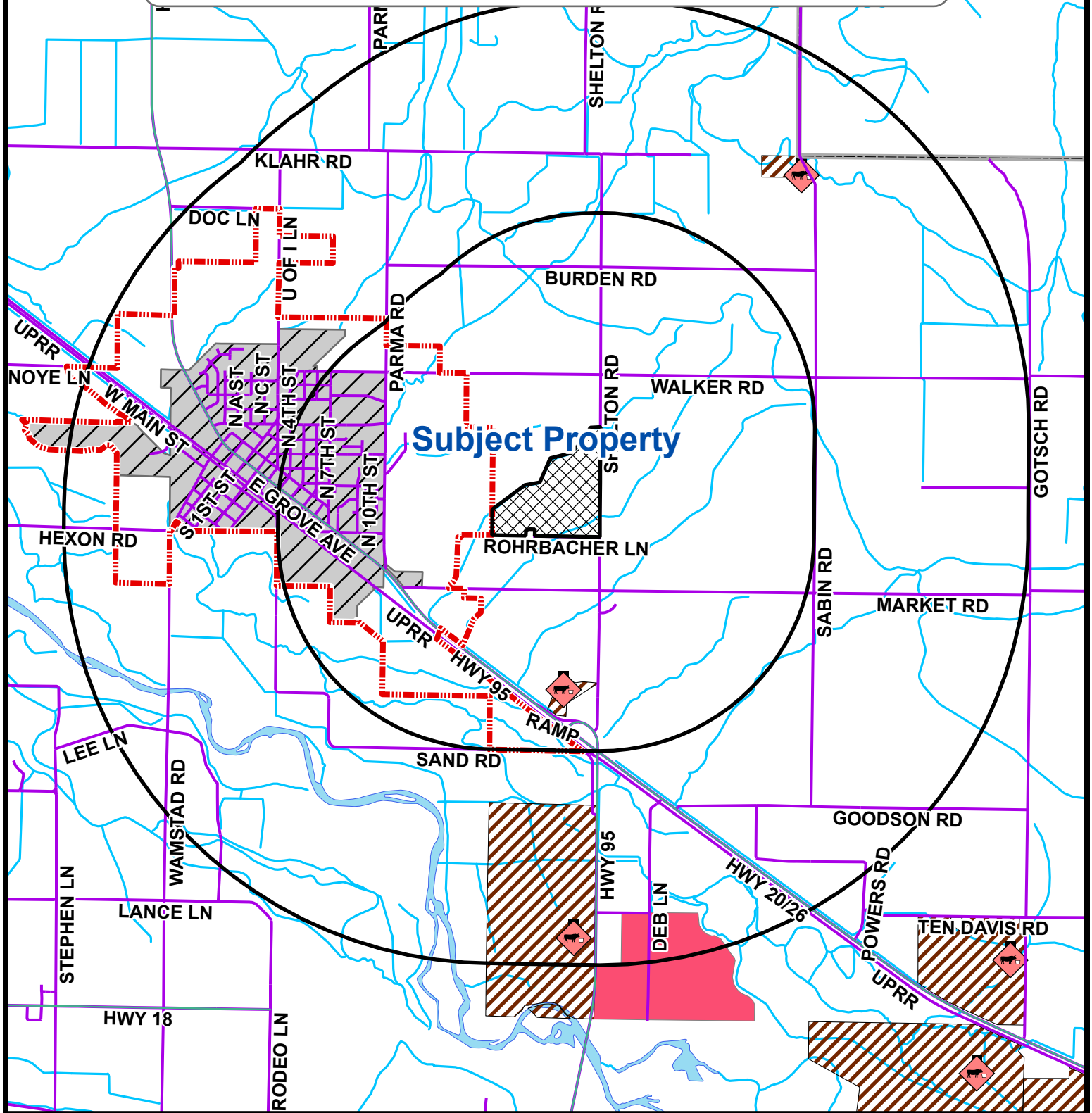
SUBDIVISIONS

Plat Type,Plat Status

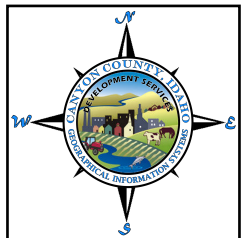
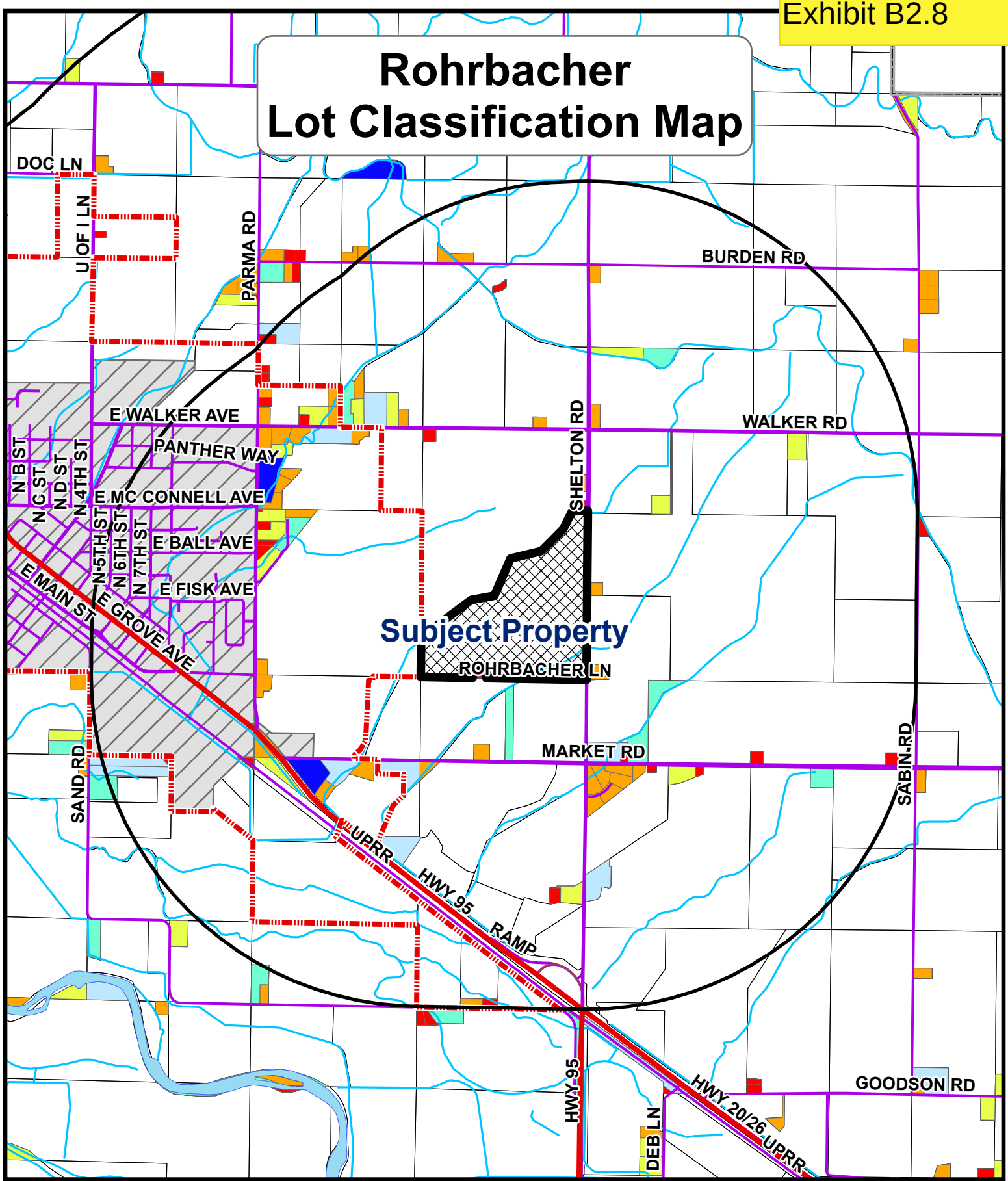
- Preliminary,Approved
- Preliminary,Pending
- MOBILE HOME PARKS



Rohrbacher Dairy, Feedlot, and Gravel Pit Map

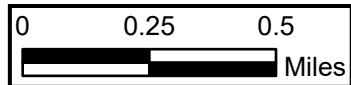


Rohrbacher Lot Classification Map

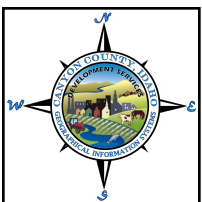
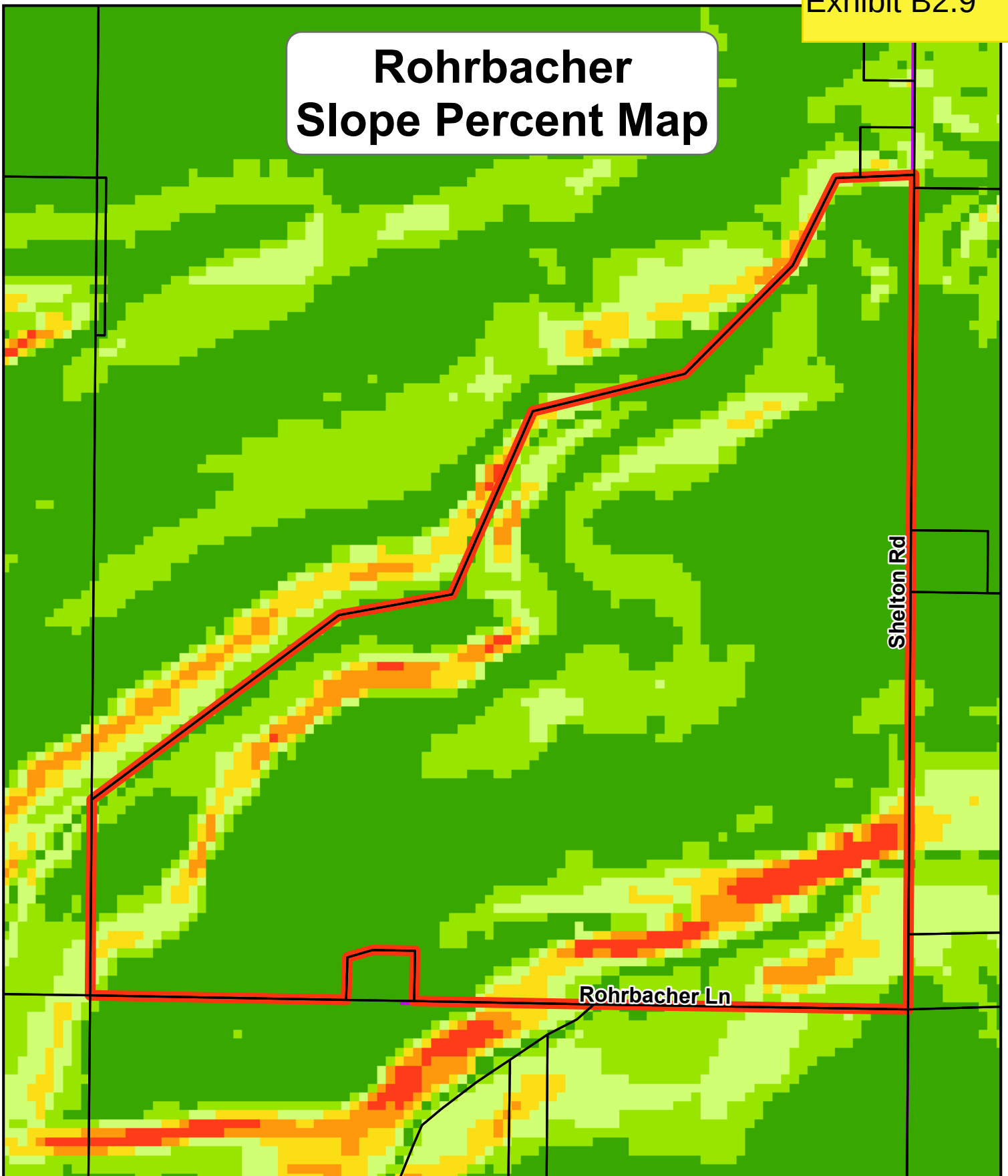


Lot Size	
	0.0 - 1.0
	1.1 - 2.0
	2.1 - 3.0
	3.1 - 4.0
	4.1 - 5.0
	5.1 - 6.0

	INTERSTATE		MINOR ARTERIAL
	OTHER FREEWAY/ EXPRESSWAY		PROPOSED MINOR ARTERIAL
	PROPOSED OTHER FREEWAY/ EXPRESSWAY		COLLECTOR
	PRINCIPAL ARTERIAL		PROPOSED COLLECTOR
	PROPOSED PRINCIPAL ARTERIAL		



Rohrbacher Slope Percent Map



Slope Percent

0.001 - 3	9.001 - 12
3.001 - 6	12.001 - 14.999
6.001 - 9	15 - 202.718

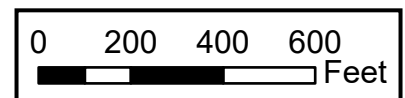


EXHIBIT C

Site Visit Photos: January 30, 2026

Planning & Zoning Commission

Case# ZV2025-0003

Hearing date: March 19, 2026

Site Photos: Taken January 30, 2026

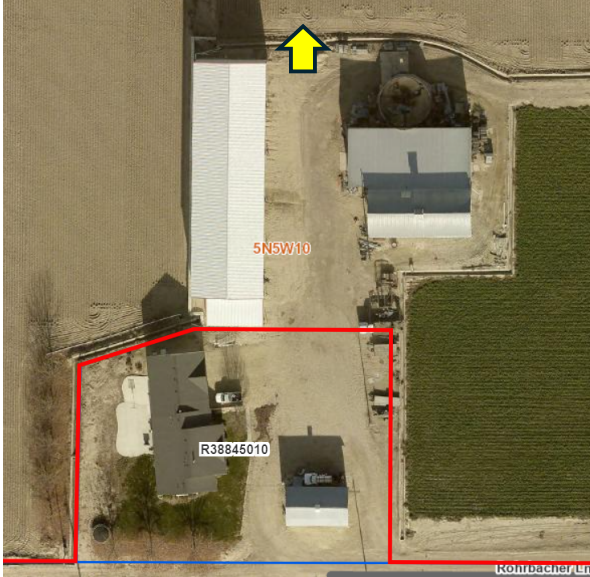
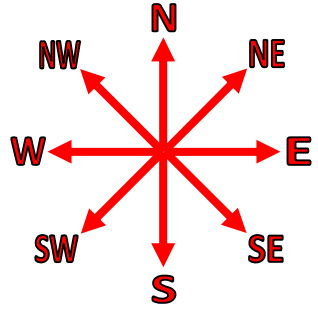


Photo 1:

Taken from the Northeast side of the unpermitted structure, facing North.



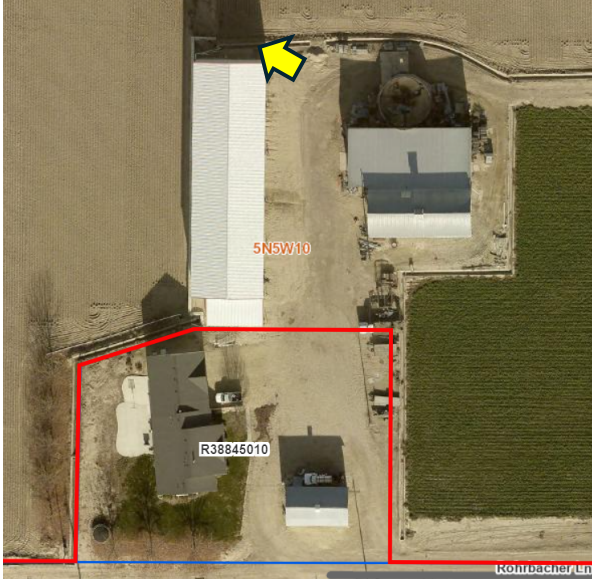
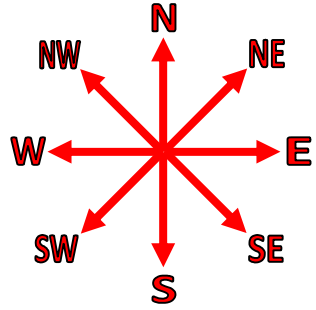


Photo 2:

Taken from the Northeast side of the unpermitted structure, facing Northwest.



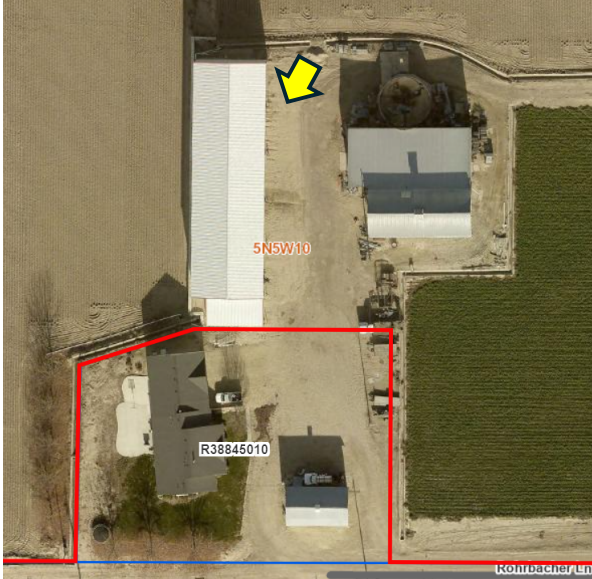
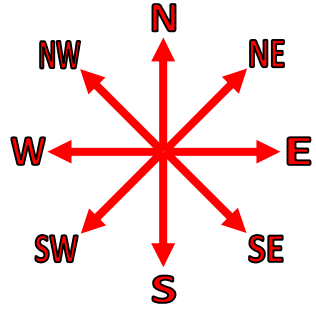


Photo 3:
Taken from the Northeast side of the
unpermitted structure, facing Southwest.



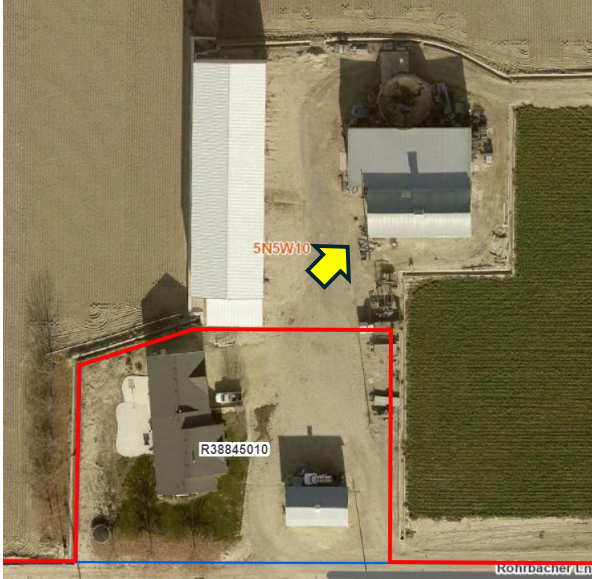
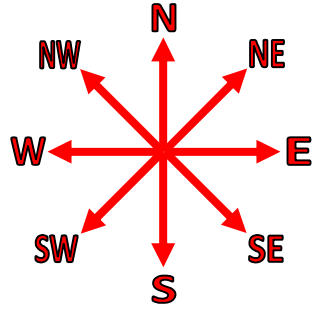


Photo 4:

Taken from the East side of the unpermitted structure, facing Northeast.



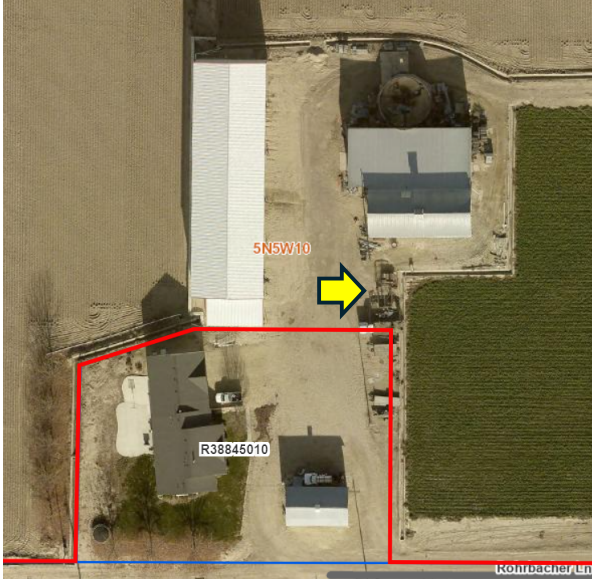
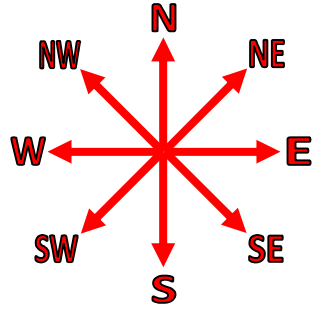


Photo 5:

Taken from the East side of the unpermitted structure, facing East.



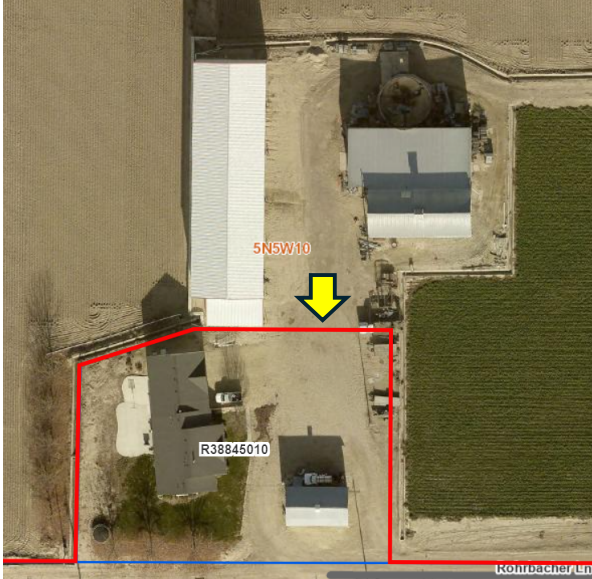
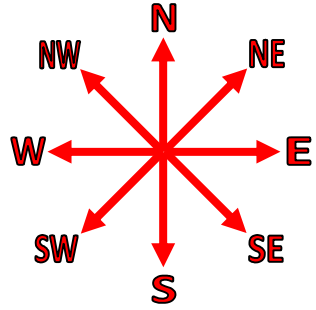


Photo 6:

Taken from the East side of the unpermitted structure, facing South.



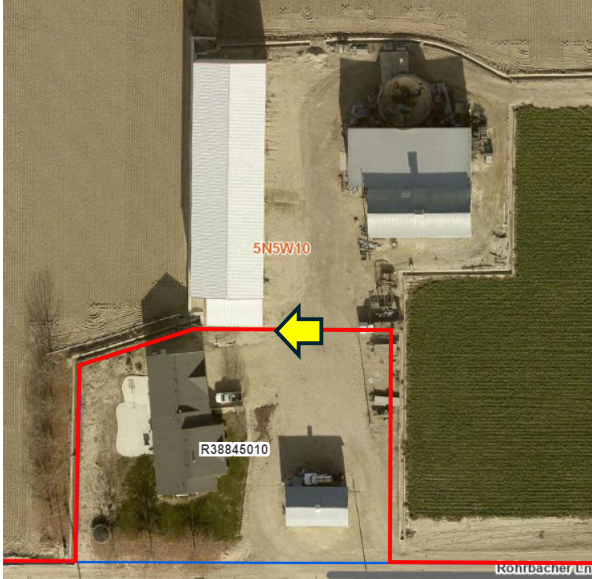
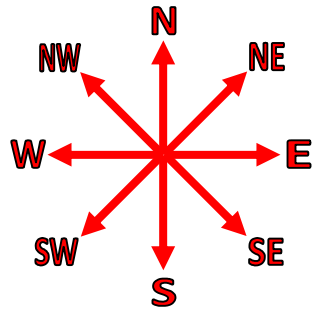


Photo 7:
Taken from the Southeast side of the
unpermitted structure, facing West.



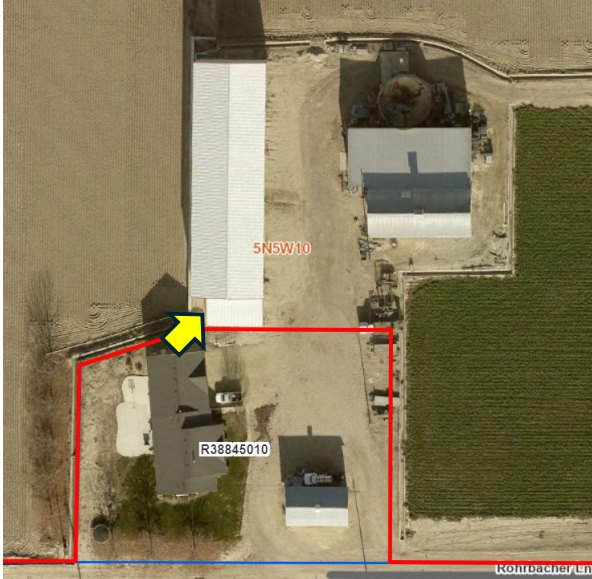
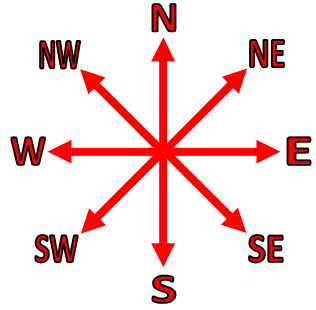


Photo 8:
Taken from the Southwest side of the
unpermitted structure, facing Northeast.



EXHIBIT D

Agency Comments Received by: March 9, 2026

Planning & Zoning Commission

Case# ZV2025-0003

Hearing date: March 19, 2026

Pre-Development MeetingName of Development: Variance to BuildingApplicant: Dan Rohrbacher

P.E./P.G.: _____

Others In Attendance: _____

of Lots: N/A Wastewater Flow: N/A Acreage Proposed: 101.92Location of Development: 28253 Shelton Rd, Parma ID 83660Parcel # : R38845000 0Project in Area of Concern: No Groundwater/Rock <10': N/ALevel 1 NP Study Required: ☐ Yes ☒ NoLSAS/CSS Proposed: NoProposed Drinking Water: ☒ Individual ☐ City ☐ Community ☐ Public Water SupplyInformation Distributed: ☒ SER ☐ NP Guidance ☐ Non-Domestic WW ap

Description of Projects:

The applicant discussed with SWDH the proposal to grant an existing dry shop a 5- to 10-foot variance from the property line. As confirmed, the existing shop does not discharge wastewater to a subsurface sewage disposal system. The applicant may proceed with the county's review and approval process.

Dane Adams

From: Jeff Rodgers <jeff@parmafire.us>
Sent: Tuesday, February 3, 2026 12:40 PM
To: Dane Adams
Subject: [External] Parma Fire

Parma Fire has no issues with Case Number ZV2025-0003 it in no way will affect are response

Thank You
Fire Chief
Jeff Rodgers

EXHIBIT E

Public Comments Received by: March 9, 2026

Planning & Zoning Commission

Case# ZV2025-0003

Hearing date: March 19, 2026

To Whom It May Concern, In the case no. ZV2025-0003

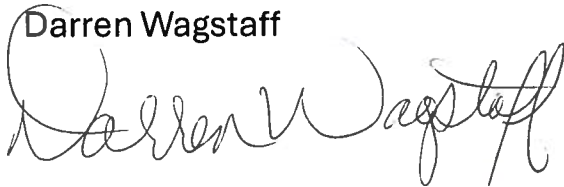
I am writing to provide my input regarding Harold Rohrbacher's variance request associated with his building and land use application. After reviewing the circumstances, I would like to say that I have no objections to the variance being approved. I have no concerns about the existing structure, and in my view, it should remain as currently constructed.

From my perspective, the building is well built and does not create any negative impact on neighboring properties or the character of the surrounding community. Allowing the structure to remain as it stands is both reasonable and practical, and it would prevent unnecessary modifications that could result in additional cost or disruption for the property owner.

Thank you for including me in this process and for your continued efforts to keep residents informed and engaged. Please feel free to contact me if any further information or clarification is needed.

Sincerely,

Darren Wagstaff



RECEIVED

▶ MAR 05 2026 ◀

RECEIVED

EXHIBIT F

DRAFT – Findings of Fact, Conclusions of Law & Order (FCOs)

Planning & Zoning Commission

Case# ZV2025-0003

Hearing date: March 19, 2026



PLANNING OR ZONING COMMISSION FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

In the matter of the application of:

Rohrbacher Family Trust – ZV2025-0003

The Canyon County Planning and Zoning Commission considers the following:

A variance of the side setback requirements of 10 feet to 3 feet to accommodate an agricultural structure built on the southern property line. The subject property is approximately 101.92 acres in an "A" (Agricultural) zone. The subject property is located at the Northwest intersection of Shelton Rd and Rohrbacher Ln, also referenced as Parcel R38845, a portion of the NE quarter of Section 10, T5N, R5W, BM, Canyon County, Idaho.

Summary of the Record

1. The record is comprised of the following:

- A. The record includes all testimony, the staff report, exhibits, and documents in Case File ZV2025-0003.
 - 1. All exhibits are located in the case staff report dated March 19, 2026.

Applicable Law

1. The following laws and ordinances apply to this decision: Canyon County Code of Ordinances (CCCO) §01-17 (Land Use/Land Division Hearing Procedures), CCCO §07-05 (Notice, Hearing and Appeal Procedures), CCCO §07-08 (Variance), CCCO §07-02-03 (Definitions), CCCO §07-10-21 (Setbacks; Minimum Parcel or Lot Size; Height Regulations), and Idaho Code §67-6516 (Variance-Definition-Application-Notice),
 - a. Notice of the public hearing was provided per CCCO §07-05-01.
 - b. A variance is a modification of the bulk and placement requirements of the ordinance as to lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, height of buildings, or other ordinance provision affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots. A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon a showing of undue hardship because of characteristics of the site and that the variance is not in conflict with the public interest. See Idaho Code §67-6516
2. The commission shall have those powers and perform those duties assigned by the board that are provided for in the local land use planning act, Idaho Code, title 67, chapter 65, and county ordinances. CCCO §07-03-01, 07-07-01.
3. The burden of persuasion is upon the applicant to prove that all criteria are satisfied. CCCO §07-05-03.
4. Idaho Code §67-6535(2) requires the following: The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record.
5. The County's hearing procedures adopted per Idaho Code §67-6534 require that final decisions be in the form of written findings, conclusions, and orders. CCCO 07-05-03(1)(I).

The application, ZV2025-0003, was presented at a public hearing before the Canyon County Planning and Zoning Commission on March 19, 2026. Having considered all the written and documentary evidence, the record, the staff

report, oral testimony, and other evidence provided, including the conditions of approval and project plans, the Canyon County Planning and Zoning Commission decides as follows:

Variance Code Analysis (CCCO §07-08-03)

Compliant			County Ordinance and Review	
Yes	No	N/A	Code Section	Analysis
☒	☐	☐	07-08-03(1)	A variance shall be granted in compliance with Idaho Code section 67-6516, and notice and an opportunity to be heard shall be provided to property owners adjoining the subject property.
			Analysis	Chapter 7, Article 8 of the Canyon County Code provides the variance process consistent with Idaho Code section 67-6516. Per CCCO §07-08-01, a complete application with fees was accepted on December 10, 2025 (Staff Report Exhibit A). The request requires a public hearing due to the proposal exceeding a 33% modification to the County setback requirements. Noticing was completed per CCCO §07-05-01. Property owners within 600 feet were notified of the request and public hearing on February 12, 2026.
☒	☐	☐	07-08-03(2)	The presiding party shall ask and answer the following questions in their FCOs: A. Will granting the variance be consistent with the comprehensive plan? B. Do characteristics of the site create an undue hardship? C. Is the variance in conflict with the public interest?
			Analysis	A. The variance request from 10' to 3' would not make the property incompatible with the goals and policies in Canyon County's 2030 Comprehensive Plan. - The 2030 Comprehensive Plan designates the future land use to be "A" Agricultural. The parcel is currently zoned "A" (Agricultural). The parcel was created in accordance with the zoning ordinance at the time. - The proposed variance supports the following goals and policies of the 2030 Comprehensive Plan. <u>Private Property:</u> G1.01.00: <i>Protect the integrity of individual property rights while safeguarding public health, safety, and welfare.</i> P1.01.03: <i>Ordinances and land-use decisions should avoid imposing unnecessary conditions or procedures on development approvals.</i> <u>Economic Development:</u> G3.01.00: <i>Promote a healthy and sustainable regional economy by retaining, expanding, and recruiting businesses to favorable locations.</i> G3.04.00: <i>Increase agricultural-based and supportive businesses.</i> P3.04.00: <i>Build Canyon County as the premier location for agricultural-based businesses of all sizes.</i> <u>Land Use and Community Design:</u> G4.01.00: <i>Support livability and high quality of life as the community changes over time.</i> P4.01.01: <i>Maintain a balance between residential growth and agriculture that protects the rural character.</i> P4.01.02: <i>Planning, zoning, and land-use decisions should balance the community's interests and protect private property rights.</i>

				G4.02.00: <i>Ensure that growth maintains and enhances the unique character throughout the County.</i> P4.02.01: <i>Consider site capability and characteristics when determining the appropriate locations and intensities of various land uses.</i> G4.03.00: <i>Develop land in a well-organized and orderly manner while mitigating or avoiding incompatible uses, protecting public health and safety, and creating a vibrant economy through sustainable land use planning.</i> G4.05.00: <i>Support a diversity of agricultural uses to sustain the agricultural and agriculturally related economy.</i> P4.05.01: <i>Promote future development and land-use decisions that do not create hardship for farmers and agricultural operators.</i> P4.05.03: <i>Encourage uses on agricultural parcels to be planned and placed to limit interference with farming operations, which may include clustering residences and other structures, placement near existing utilities and infrastructure, and placement to minimize conflicts with allowed agricultural uses on the proposed site and adjacent lands.</i> G4.06.00: <i>Development design should improve the area’s character and be compatible with the community’s visual appearance and the natural environment.</i> P4.06.01: <i>Encourage development design that accommodates topography and promotes conservation of agricultural land.</i> G4.07.00: <i>Protect rural qualities that make the County distinct and conserve and enhance the elements contributing to a good quality of life.</i> P4.07.01: <i>Plan land uses that are compatible with the surrounding community.</i> G4.08.00: <i>Maintain and enhance the aesthetic beauty of the county.</i> P4.08.01: <i>Protect and enhance the rural landscape as an essential scenic feature of the County.</i> B. The characteristics of the site <u>do</u> create hardship: • Canyon County Code or Idaho Code does not define undue hardship for the purposes of a variance. Section 67-6516 states a variance shall not be considered a right or special privilege but may be granted to an applicant only upon a showing of undue hardship because of characteristics of the site. The circumstances justifying the undue hardship must be “peculiar” to the property at issue (<i>City of Burley v. McCaslin Lumber Co.</i>, 107 Idaho 906, 693 P.2d 1108 (1984)). • In the applicant’s letter of intent, the applicant states that due to the existing agricultural operations, as well as the site's topography, the location of the structure was limited to where it was built. See Staff Report Exhibit A2 for the full letter of intent. • These undue hardships can be seen in the site visit photos taken on January 30, 2026 (Staff Report Exhibit C). • Staff finds that the aforementioned characteristics of the site <u>do</u> create hardship. C. The variance is not in conflict with public interest:
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				• The proposed variance is not expected to have an impact on the adjacent residence or emergency services' ability to access any parcels off Rohrbacher Lane. • Comment letters from Southwest District Health and Parma Fire District confirm that the proposed variance is not in conflict with public interest (Staff Report Exhibit D).
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Order

Based upon the Findings of Fact, Conclusions of Law and Order contained herein, the Planning and Zoning Commission **approves** Case ZV2025-0003, a variance to the front setbacks for a home addition, subject to the following conditions as enumerated:

Conditions of Approval

1. All development shall comply with all applicable federal, state, and county laws, ordinances, rules, and regulations that pertain to the subject property and the proposed use.
2. Within 30 days of approval of this application, a building permit shall be applied for the unpermitted structure requiring the setback variance on Parcel R38845.

DATED this _____ day of _____, 2026.

**PLANNING AND ZONING COMMISSION
CANYON COUNTY, IDAHO**

Robert Sturgill, Chairman

State of Idaho)

SS

County of Canyon County)

On this _____ day of _____, in the year 2026, before me _____, a notary public, personally appeared _____, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he (she) executed the same.

Notary: _____

My Commission Expires: _____