



City of Blackfoot, Idaho

Kurt L. Hibbert MPA
157 N Broadway
Blackfoot, Idaho 83221

July 17, 2019

Bingham Academy
C/o Chair Holly Lilya and Board Members
1350 Parkway Drive #18, Riverside Plaza
Blackfoot, Idaho 83221

RE: Bingham Academy Non-conforming Land Use Status

Dear Bingham Academy Board members,

This letter is in regards to the land use status for the Bingham Academy located at Parkway Drive #18. I was asked by the Planning and Zoning Commission to formally notify you of your nonconforming status under City Ordinance.

At a meeting held March 14, 2019 in Mr. Fred Ball's office, the current status and need for a Conditional Use Permit (CUP) for Bingham Academy was discussed. This was a follow up meeting to a meeting held August 4, 2018 with myself, the Mayor, Mr. Ball and Mr. Fisk where the issues surrounding non-compliance of Bingham Academy with the Land Use Code was communicated. The City was assured by Mr. Ball and Mr. Fisk at that time that a CUP application and transition plan for the school would be forthcoming. No such application has been received to date. The requirement of the City Planning and Zoning Commission to provide a Transition Plan to transition the school to a different suitable location was discussed, as well as the fact that this plan was required to be completed by August 13, 2018. This Transition Plan was suggested as a mitigating measure to allow the school to operate through the 2018-2019 school year. Had the condition of a transition plan been met, the CUP would have been valid until May 24, 2019. However, since no plan was submitted, the school has been in violation of the requirements allowing a school in this commercial zoning district since August 13, 2018. The facility has no valid CUP and is out of compliance with the city land use code. Use of the facility as a school must cease immediately.

Please feel free to contact me at (208) 785-8600, Ext. 4 if you have any questions.

Sincerely,

Kurt L. Hibbert MPA
Planning and Zoning Administrator
(208) 785-8600 Ext. 4

cc. Mayor Marc Carroll, Garrett Sandow