

Oneida County Planning & Zoning Commission

Public Hearing Minutes – Conditional Use Permit (ADU)

Applicant: Ken Probst

File No. 260014

May 6, 2026 – 7:45 PM

Commissioners Present

- Steve Daniels – Chairman
- Rich Moore
- Tallen Boyer
- Travis (Bucky) Reeder
- Jennifer Brown
- Travis Hanks

Commissioner Excused

- Alaina Schrenk

The public hearing for a Conditional Use Permit for an Accessory Dwelling Unit (ADU) submitted by Ken Probst was opened at approximately 7:45 p.m. by Chairman Steve Daniels. The Chairman explained the hearing procedure, stating the applicant would first provide a brief description of the request, followed by the staff report, public testimony, and Commission deliberation.

Chairman Daniels invited the applicant to speak.

Ken Probst, 3141 West Maria Road, described the proposal as a small structure intended primarily for occasional overnight accommodations for family members visiting with dogs. Mr. Probst explained the proposed building would be approximately 14 feet by 26 feet in size and constructed with siding matching the existing shop on the property. He stated the structure would not include gas service, water, septic, bathroom facilities, or cooking facilities. Electrical service would be extended from the existing shop. Mr. Probst stated the structure would be used minimally, likely only a few times per year for overnight stays.

The Commission asked clarifying questions regarding the intended use of the structure and confirmed that it would be used for human habitation on a limited basis.

Planning and Zoning Administrator Darla Tombaugh presented the staff report. Staff stated the application was submitted as a Conditional Use Permit for an Accessory Dwelling Unit associated with an existing primary residence located at 3141 West Maria Road. The property consists of approximately five acres and is located within the Agricultural zoning district.

Staff explained that the property already has the necessary infrastructure in place and noted that no additional water or sewer services were proposed at this time. Staff stated the application was reviewed

under applicable provisions of Idaho Code § 67-6512 and relevant county zoning requirements. Staff found that the proposed use would generate minimal residential traffic, noise consistent with surrounding residential and agricultural activity, and would not adversely impact public health, safety, or welfare.

Staff concluded the application met the required findings for approval and recommended approval of the Conditional Use Permit with the following conditions:

1. The ADU shall remain subordinate to the primary dwelling.
2. Any future addition of water or septic service shall remain compliant with all applicable county and state regulations.
3. No additional dwelling units shall be permitted without further county approval.
4. Any change in use shall require additional review and permitting.
5. The use shall remain in compliance with all county and state regulations.

Chairman Daniels opened the public testimony portion of the hearing.

Mr. Probst added that the structure would likely only be used two or three times per year and generally not for more than one or two nights at a time.

No members of the public provided testimony either in favor or opposition to the request.

Chairman Daniels closed the public testimony portion of the hearing and opened Commission deliberations.

A Commissioner asked for clarification regarding the proposed location of the structure on the property map. Mr. Probst clarified the exact location of the proposed structure. Staff further explained that Road and Bridge Department comments required the applicant to utilize the existing access driveway rather than constructing a new access due to site constraints and existing trees on the property. Staff confirmed the applicant would continue utilizing the existing gravel access.

Commissioners discussed the limited nature of the use and confirmed there were no additional concerns regarding access or infrastructure.

A motion was made by Commissioner Tallen Boyer to approve the Conditional Use Permit for the Accessory Dwelling Unit identified as File No. 260014 for Ken Probst, subject to the conditions outlined in the staff report. The motion was seconded.

Following discussion, the motion was put to a vote. All Commissioners present voted in favor of the motion. No opposition was heard.

The motion passed unanimously, and the Conditional Use Permit was approved.

The hearing concluded