



# BONNER COUNTY PLANNING DEPARTMENT

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## VARIANCE APPLICATION

### FOR OFFICE USE ONLY:

FILE #

V0004-25

- ☐ Administrative Variance  
☒ Public Hearing Required

RECEIVED:

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david.fisher , 2/24/2025, 10:15:45 AM

### PROJECT DESCRIPTION:

The applicant is requesting a variance from a:

- ☒ Front yard setback ☐ Rear yard setback  
☒ Side yard setback ☐ Water front setback

The applicant is requesting a 11' & ~~4'~~ foot setback to allow for the construction of:  
 (Specify the type of structure and use) Garage for storing boat and vehicle,  
 11' for the front variance ~~and 4' for the side variance.~~

☐ Other (Please specify) \_\_\_\_\_

### APPLICANT INFORMATION:

Landowner's name: Richard and Tina Wilson

Mailing address: [REDACTED]

City: Highlands Ranch

State: CO

Zip code: 80130

Telephone: [REDACTED]

Fax:

E-mail: [REDACTED]

### REPRESENTATIVE'S INFORMATION:

Representative's name: N/A

Company name:

Mailing address:

City:

State:

Zip code:

Telephone:

Fax:

E-mail:

### ADDITIONAL APPLICANT/REPRESENTATIVE INFORMATION:

Name/Relationship to project:

Company Name:

Mailing Address:

City:

State:

Zip Code:

Telephone:

Fax:

E-mail:



**PARCEL INFORMATION:**

Section #: 31	Township: 54 N	Range: 1 West	Parcel acreage: 0.403
Parcel # (s): RP0004400B0070A			
Legal description: Cape Horn Estates Lot: 7 Block/Bldg: B Plat Book: 3 Plat Pages: 60			
Current landowner's name: Richard and Tina Wilson			
Current zoning: Rural		Current use: Rural Residential	
What zoning districts border the project site? Agriculture/Forestry			
North: Rodeway		East: Residential lot 8 (21 Glacier loop)	
South: Rodeway		West: Residential lot 9 (101 Glacier Loop)	
Comprehensive plan designation:			
Uses of the surrounding land (describe lot sizes, structures, uses):			
North: Road, and across the road with one vacant lot and one lot with a structure on the uphill side.			
South: Road with lot on the other side.			
East: Lot with residence.			
West: Lot with residence on the far side about 50 yards away.			
Within Area of City Impact?: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, which city?:			
Detailed directions to site: From Bayview take E. Cape Horn Road through gate to Glacier Loop.			

**NARRATIVE STATEMENT:**

Describe whether conditions apply to the property that do not apply generally to other properties in the same zone or vicinity, which conditions are a result of lot size, shape, topography, or other circumstances over which the applicant has no control. BCRC 12-234(a) *Explain why it is not possible to comply with the ordinance standards. Example: A site may have excessive slopes that prevent a structure from meeting the required setbacks.* The current resident structure is built next to an asphalt area. We first considered this area for our garage but the builder mentioned that the fill dirt to level this area may not be suitable to pass compaction tests and the septic tank may interfere in placing any needed piers. It would also have to be elevated to prevent water intrusion from the sloped driveway. The proposed location is NE of the house where the shed (11'x19') sits. This will require the wall next to the road to also be a retaining wall 4'-5' tall. Locating the structure here will require a variance on the front property line to allow the structure to be 11' from the property line which is 19' from the road edge for 30' total. ~~The rear of the garage would also require a variance from the side lot line on the SW. The proposed garage would be 4' from the side lot line (3' for roof line) to allow the most distance to maneuver a vehicle with a trailer into the garage, and to allow visualization of the driveway from the main floor bedroom window.~~

Explain how special conditions and circumstances do not result from the actions of the applicant. BCRC 12-234(b) *Example: Did the applicant reduce the size of his/her parcel, thereby creating an "unbuildable" parcel?* The House was already built on this location without plans for where to build a garage, when we purchased the house.



Explain how granting the variance is not in conflict with the public interest in that it will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity of the subject parcel or lot. BCRC 12-234(c) *Explain how the proposed use is compatible with adjoining land uses. Example: Will approval of the variance result in a potential obstruction of public access or cause a safety hazard? Are there effects of elements on adjoining property such as noise, light glare, odor, fumes and vibration?*

See Addendum 1.

### ACCESS INFORMATION:

Please check appropriate boxes:

☒ Private Easement    ☒ Existing    ☒ Proposed

Describe travel surface (e.g., gravel, dirt, paved, etc.), travel way width, road grade and easement width. Include recorded instrument number for existing easements & name, if existing: asphalt with addition of concrete in front of garage.

☐ Public Road    ☐ Existing    ☐ Proposed

Describe travel surface (e.g., gravel, dirt, paved, etc.), travel way width, road grade right-of-way width and name, if existing: \_\_\_\_\_

☐ Combination of Public Road/Private Easement    ☐ Existing    ☐ Proposed

Describe travel surface (e.g., gravel, dirt, paved, etc.), travel way width, road grade and right-of-way/easement width and road name, if existing: \_\_\_\_\_

### SITE INFORMATION:

Please provide a detailed description of the following land features:

Topography (lay of the land), including estimated maximum slope, rock outcroppings, benches, etc:

The topography slopes from the road down to the house. The elevation decrease over the 22' width of the garage is about 4'. There is some rock in the proposed foot print which will have to be excavated.

Water courses (lakes, streams, rivers & other bodies of water): None.



Is site within a floodplain? ☐ Yes ☒ No

Firm Panel #: \_\_\_\_\_

Map designation: \_\_\_\_\_

Springs & wells: No.

Existing structures (size & use): \_\_\_\_\_

The current shed which is at the location of the proposed garage will be removed off site.

The house will be 5' away at the closest distance.

Land cover (timber, pastures, etc): Grass, Rocks, natural vegetation, and occasional trees.

Are wetlands present on site? ☐ Yes ☒ No

Source of information: Land owner

Other pertinent information (attach additional pages if needed): \_\_\_\_\_

### SERVICES:

Sewage disposal will be provided by:

☐

Existing Community System - List name of sewer district or provider and type of system:

☐

Proposed Community System - List type & proposed ownership:

☒

Individual system - List type: Septic tank is for the house and none is needed for garage.

Explain the type of sewage system, capacity, maintenance plan, location of facilities, if applicable and other details: \_\_\_\_\_



Water will be supplied by:

☐

Existing public or community system - List name of provider: \_\_\_\_\_

☐

Proposed Community System - List type & proposed ownership: \_\_\_\_\_

☐

Individual well: \_\_\_\_\_

Please explain the water source, capacity, system maintenance plan, storage and delivery system and other details: N/A

Distance (in miles) to the nearest:

Public/Community Sewer System:

Solid Waste Collection Facility:

Public/Community Water System:

Fire Station:

Elementary School:

Secondary Schools:

County Road:

County Road Name:

Which fire district will serve the project site? Timberlake

Which power company will serve the project site? Kootenai Electric Cooperative

**How is the use/plan in accordance with the general and specific objectives of the Comprehensive Plan? (Copy of goals and objectives attached)**

Property Rights: Unchanged

Population: Unchanged

School facilities & Transportation: LPOSD # 84

Economic Development: Unchanged

Land Use: Rural Residential

Natural Resources: Unchanged

Hazardous Areas: N/A

Public Services: Unchanged

Transportation: Unchanged



Recreation: Unchanged

Special Areas or Sites: N/A

Housing: Unchanged

Community Design: Unchanged

Implementation: ( Not required to complete this element)

I hereby certify that all the information, statements, attachments and exhibits submitted herewith are true to the best of my knowledge. I further grant permission to Bonner County employees and representatives, elected or appointed officials to enter upon the subject land to make examinations, post the property or review the premises relative to the processing of this application.

Landowner's signature: Richard A Wilson Date: 2-21-25

Landowner's signature: Dana M. Wilson Date: 2-21-25



## Addendum 1

Lot 9 behind where the proposed garage is to be built and located to the SW, has a house on it that is approximately 50 yards away. ~~Whether our garage is 4' or 7.5' from the side lot line seems to be of minimal consequence. The current shed is less than 2' from the side lot line for reference.~~

On the northwest side of the garage, it will be 11' at the narrowest point from the front property line and an additional 19' from the road edge for a total distance of 30' from the road edge. The wall of the garage on the NW side of the garage will also be about 4' below grade because of the slope of the hill decreasing the height of the structure as seen from the road. Across the road from our lot is a lot with a structure on the uphill side which will not have its view of the lake impacted by this new structure. The vacant lot to the east of this lot and across the street from our driveway and parking area should not be impacted as far as their view of the lake is concerned either.

The property to the east should not be effected as all variances there will be maintained.

Edited per applicant's request/phone conversation - 4/21/25 DF