



Bonner County

Board of Commissioners

Jeff Connolly

Daniel McDonald

Steve Bradshaw

February 15, 2022

Christian Starr | Rockstarr Land, LLC
564 Roberts Lane
Blanchard, ID. 83804

Subj: Appeal File MLD0186-21 Rockstarr Acres First Addition – Rockstarr Land, LLC.

Dear Christian Starr,

The Bonner County Commissioners at the February 10, 2022 public meeting upheld the administrative decision of the Bonner County Planning Department for denial of this project as follows:

Commissioner Connolly moved to uphold the administrative decision of the Bonner County Planning Department for denial of this project FILE MLD0186-21, Rockstarr Acres First Addition. The action that could be taken, if any, to obtain the land division is to file a new short plat application with the Planning Department and meet the standards required by Bonner County Revised Code. Commissioner Bradshaw seconded the motion. VOTED upon and the Chair declared the motion carried, unanimously.

Findings of Fact

1. File MLD0009-20 Rockstarr Acres was received by the planning department on JAN 27 2020, per the stamp on the application.
2. Rockstarr Acres shares a property line with the proposed Rockstarr Acres First Addition.
3. At the time in which File MLD0009-20 was filed with the planning department (Jan. 27, 2020), Rockstarr Land LLC was the applicant. This LLC, mailing address, and email address was also used for File MLD0186-21, Rockstarr Acres First Addition.
4. The naming convention of Rockstarr Acres First Addition implies a 'second addition' to the original Rockstarr Acres minor land division.
5. File MLD0186-21 was received by the planning department on Nov 04, 2021.

6. Ordinance 634, which became effective when published in the Daily Bee on August 12, 2021, prohibits the creation of contiguous lots or parcels via multiple minor land divisions.
7. The Rockstarr Acres First Addition plat recognizes Rockstarr Acres minor land division (MLD) is just north of the proposed land division.
8. Per the application, the proposed lots would be served by individual wells, septic systems, and Avista for power.
9. The subject property is within the Spirit Lake Fire District.
10. The subject property is not situated within an Area of City Impact.
11. The applicant has not had Panhandle Health District lift the sanitary restrictions on the property.
12. There are no mapped wetlands, rivers, streams or mapped slopes on the property.
13. To date, Rockstarr Land LLC does not own any of the lots created via Rockstarr Acres minor land division.
 - Lot 1 transferred ownership from Rockstarr Land LLC to Anthony and Brittany Brandt in March 2020, per Warranty Deed #954371.
 - Lot 2 transferred ownership from Rockstarr Land LLC to Kyle and Jordan Frates in April 2020, per Warranty Deed #956167.
 - Lot 3 transferred ownership from Rockstarr Land LLC to Thomas Lee Fitzmorris in September 2020 per Warranty Deed #964453.
 - Lot 4 transferred ownership from Rockstarr Land LLC to Joshua Cole Hopkins in November 2020 per Warranty Deed #969427.

Conclusions of Law:

Based upon the findings of fact, the following conclusions of law are adopted:

Conclusion 1

The minor land division **is** in accord with the Rural 5-acre zoning district.

Conclusion 2

The minor land division **is** in alignment with existing roads, and easements.

Conclusion 3

The minor land division **does not** meet the standards set forth in BCRC Chapter 6, Title 12.

NOTE: Following any final decision concerning a site-specific land use request, the petitioner has a right to request a regulatory taking analysis pursuant to Section 67-8003, Idaho Code (*Idaho Code §67-6535(3)*).

Please contact the Bonner County Planning Department if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dan McDonald', written over a horizontal line.

Dan McDonald, Chair
Board of County Commission

c: Lindsay Willhite, Sawtooth Land Surveying LLC