

TO: Mr. Jacob Gabell  
Bonner County Planning Director  
1500 US-2 , Suite 208  
Sandpoint, ID 83864

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FROM: Jeremy Grimm  
Whiskey Rock Planning + Consulting  
Representing Caliber Land Company, 468146 Hwy 95  
Sagle ID 83860

DATE: March 20, 2024

SUBJECT: Appeal File V0024-23 Variance Lot Size Minimum

Dear Mr. Gabell,

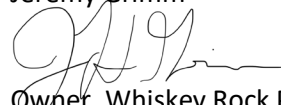
On February 15, 2024, the Bonner County Planning and Zoning Commission denied the request by my client for a variance to minimum lot size File V0024-26. As defined by Idaho Code my client is an affected person(s) due to their ownership and interest in parcel RP0068700000SLA. The purpose of this letter is to officially notify the Bonner County Planning Department that the denial is being appealed in accordance with Bonner County Revised Code 12-262 and Idaho Code Title 65-6721.

The Bonner County Planning and Zoning Commission denied Caliber Land Company's application for a variance of the minimum lot size when it incorrectly concluded that: 1) "special conditions and circumstances do result from the actions of the applicant" and 2) "the granting of the variance is in conflict with the public interest in that it will 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." Those conclusions were not based upon or supported by evidence submitted to or adduced by the Planning and Zoning Commission. As a result and in furtherance of Applicant's statutory and constitutional rights to reasonable use of its property, Caliber Land Company hereby respectfully appeals that denial.

Applicant brings this appeal on the grounds that the Planning and Zoning Commission's decision was not supported by substantial evidence on the record as a whole, and was therefore arbitrary, capricious or an abuse of discretion and was in excess of its statutory authority. Further, such decisions are by their very nature a violation of constitutional or statutory provisions.

By virtue of its variance application, Caliber Land Company (which is wholly owned by Sagle residents and local business persons) asked the county to grant relief from the "strict application" of the county's provisions (Ord. 559, 1-4-2017) where doing so will cause no harm to the public and indeed supports the express purposes of Bonner County's Land Use Regulations under Title 12. Now, by virtue of this appeal, Caliber Land Company respectfully seeks relief from the unsupported denial of that request.

Sincerely,  
Jeremy Grimm



Owner, Whiskey Rock Planning + Consulting