



Janna Brown &lt;janna.brown@bonnercountyid.gov&gt;

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**[EXT SENDER] RE: Agency Project Review Request - File V0027-23 - Shoreline/Street Setback/Bulk Increase Variance**

1 message

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**Horsmon, Merritt** <merritt.horsmon@idfg.idaho.gov>  
To: Bonner County Planning Department <planning@bonnercountyid.gov>

Thu, Jan 25, 2024 at 2:49 PM

Hi Jenna,

Please find corresponding Idaho Department of Fish and Game comments attached.

Thank you,

**Merritt Horsmon**

Regional Technical Assistance Manager

Panhandle Region

2885 W. Kathleen Ave.

Coeur d'Alene, ID 83815

208.769.1414 office

208.251.4509 mobile

[merritt.horsmon@idfg.idaho.gov](mailto:merritt.horsmon@idfg.idaho.gov)

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**From:** Bonner County Planning Department <[planning@bonnercountyid.gov](mailto:planning@bonnercountyid.gov)>**Sent:** Thursday, January 04, 2024 1:17 PM**To:** PHD <[EHapplications@phd1.idaho.gov](mailto:EHapplications@phd1.idaho.gov)>; Coolin Sewer <[coolinsewer@gmail.com](mailto:coolinsewer@gmail.com)>; Coolin-Cavanaugh Bay Fire District <[coolinfirechief@gmail.com](mailto:coolinfirechief@gmail.com)>; Northern Lights - Kristin Mettke <[kristin.mettke@nli.coop](mailto:kristin.mettke@nli.coop)>; School District #83 - Joseph Kren <[joekren@sd83.org](mailto:joekren@sd83.org)>; School District 84 Transportation - James Koehler <[james.koehler@lposd.org](mailto:james.koehler@lposd.org)>; Horsmon, Merritt <[merritt.horsmon@idfg.idaho.gov](mailto:merritt.horsmon@idfg.idaho.gov)>; Kristie May <[Kristie.May@deq.idaho.gov](mailto:Kristie.May@deq.idaho.gov)>; ITD - Jason Kimberling <[jason.kimberling@itd.idaho.gov](mailto:jason.kimberling@itd.idaho.gov)>; Robert Beachler

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**Subject:** Agency Project Review Request - File V0027-23 - Shoreline/Street Setback/Bulk Increase Variance

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The above-named application has been submitted to the Bonner County Planning Department for processing.

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections. Please see attached for details.

Thank you,

**Jenna Crone, Hearing Coordinator**

**Bonner County Planning Department**

**208-265-1458 ext - 1277**

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210K



**IDAHO DEPARTMENT OF FISH AND GAME**

PANHANDLE REGION  
2885 West Kathleen Avenue  
Coeur d'Alene, Idaho 83815

Brad Little / Governor  
Jim Fredericks / Director

January 25, 2024

Alex Feyen, Planner  
Bonner County Planning Department  
1500 Highway 2, Suite 208  
Sandpoint, ID 83864

REFERENCE: VA0027-23 – 28-foot Shoreline Setback and 270% Bulk Increase – Heiskell

Dear Mr. Feyen:

We have reviewed the above request for a variance for a 28-foot shoreline setback where 40 feet is required, a 270% bulk increase (increase building height) within the required 40' setback, and a 2-foot street setback where 25 feet is required for an existing structure remodel along the shoreline of Priest Lake. The purpose of these comments is to assist the decision-making authority by providing technical information that can be used to minimize fish and wildlife impacts.

Bonner County Code (subchapter 7.1) states the purpose of the shoreline setback chapter is to preserve both the quality and quantity of Bonner County water resources. Additionally, it aims to reduce erosion and sedimentation into waterways. As proposed, this request would increase the encroachment into the forty-foot setback not by width or depth, but only by an increase in height of the structure and add 3-foot eaves. The remodel of the existing home will not encroach further into the OHWM, rather extend upward and toward the street. The volume of the home would increase from 5,722 cubic feet to 15,500 cubic feet.

Bonner County Code (Subchapter 12-344: Nonconforming Structures) 12-344A specifically states that “no nonconforming portion of a structure may be enlarged or altered in any way which **increases** its nonconformity.” The nonconformity, in this case, height or bulk, would increase by 270%. While Idaho Department of Fish and Game (IDFG) generally does not endorse shoreline variances or bulk increases, in this case, the implementation of a stormwater plan and retention of native vegetation may mitigate the renovations' impacts on Priest Lake water quality.

Bonner County Code Section 12-713 states that the maximum impervious surfaces within 200 feet of water shall be (35%). While we are unable to make precise calculations from the plans provided, this project will increase the percentage of impervious surfaces on the parcel. Compounding the issue of increased impervious surfaces is the steep slope (approximately 55%) of the property ending at the water. Priest Lake homeowners regularly express concerns about both the water

*Keeping Idaho's Wildlife Heritage*

quality of the lake and the fisheries within it. It is the intent of the Bonner County Code (subchapter 7.1) to preserve both the quality and quantity of Bonner County water resources.

Should this variance be granted, we recommend the applicant retain as much of the native vegetation as practicable to maintain a shoreline riparian buffer. Additional native planting would help to ameliorate any negative effects to water quality. This is of increased importance due to the steep topography of the lot.

IDFG recommends that an approved stormwater plan, prepared by a licensed professional engineer, be implemented.

IDFG recommends that all shoreline building BMPs for sedimentation and erosion be adhered to during the building process.

If variances to Code become regularly allowed, we would expect that to lead to modified shorelines, increased nutrient inputs to the lake, declines in water quality, and subsequent negative effects to the fishery.

Thank you for the opportunity to comment.

Sincerely,

Carson Watkins  
Panhandle Regional Supervisor

CJW:MH:lat  
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