

Final



BONNER COUNTY PLANNING DEPARTMENT

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VARIANCE APPLICATION

FOR OFFICE USE ONLY:

FILE #

V10-24

RECEIVED:

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MAR 18 2024
BONNER COUNTY
PLANNING DEPARTMENT
RW

- Administrative Variance
- Public Hearing Required

PROJECT DESCRIPTION:

The applicant is requesting a variance from a: 25 foot public access road setback from Fir Drive.

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

The applicant is requesting a Zero foot setback to allow for the construction of:
(Specify the type of structure and use) Private Shop Structure intended for private use and storage.

Other (Please specify) The requested footing setback from Fir Drive will be a 2' setback but then the proposed shop structure will have a 2' roof overhang in the front of the shop with corbel support which will then be at the 0' setback from Fir Drive to account for the front roof overhang.

APPLICANT INFORMATION:

Landowner's name: Joseph & Sandra Taylor

Mailing address: [REDACTED]

City: Clark Fork

State: ID

Zip code: 83811

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: N/A

Company Name:

Mailing Address:

City:

State:

Zip Code:

Telephone:

Fax:

E-mail:

PARCEL INFORMATION:

Section #: 1	Township: 56N	Range: 1 East	Parcel acreage: 1.71 Acres
Parcel # (s): RP0045900002B0A			
Legal description: <u>Lot 2B of Replat of Lots 1A and 2A Tall Timber Tracts, according to the plat thereof, recorded in Book 18 of Plats, Page 24, records of Bonner County, Idaho.</u>			
Current landowner's name: Joseph & Sandra Taylor			
Current zoning: Split Zoning - Recreation/Rural 5		Current use: Undeveloped Rural 5 Plot	
What zoning districts border the project site?			
North: Rural 5		East: Rural 5	
South: Rural 5		West: Hwy 200 & Recreation of West side of Hwy	
Comprehensive plan designation: Resort Community			
Uses of the surrounding land (describe lot sizes, structures, uses):			
North: 0.387 Acre Treed Undeveloped Lot			
South: Rural 5 Lot (0.127 acre lot) with existing 36' x 48' Metal Shop Structure			
East: Fir Drive - 30' wide Frontage Access Road			
West: Highway 200			
Within Area of City Impact?: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, which city?:			
Detailed directions to site: <u>1) Private access - Enter private access road off of Highway 200 directly across from Blue Heron Lane, East of Hope, Idaho.</u>			
<u>2) Public access - Turn off of Highway 200 onto Mariner Way directly opposite Pend Oreille Shores Condominiums, travel approx 150' along Mariner Way Eastward toward the BNSF Rail Line, then bear Southward along the West side of BNSF Railroad frontage approx 800' to the origin of Fir Drive.**This was the Historic access to these properties prior to construction of Highway 200**</u>			

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.* This building site has had fill placed to level the construction site and match the level of the adjacent property and shop structure. All of the other properties South along Fir Drive have similarly had fill placed to level and prepare the build sites for shop construction. As such, placement of this 48' wide by 60' deep shop structure on this lot would be best positioned along the far East side of the lot, directly facing Fir Drive with a 0' setback. This would accomplish two specific goals. The first goal would be to keep the back of the shop, the west side nearest Hwy 200, as far away from the fill edge as possible in order to ensure shop structure stability and to prevent erosion of the fill edge. Secondly, this 0' setback placement would allow the shop structure to be set back nearly 40' from the Hwy 200 ROW instead of the required minimum 25' setback from the Hwy. The structure will also fit better on build site when positioned in this manner.

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?* There have been no special conditions or circumstances created by the land owner/applicant. The build site has been developed with added fill to match the site elevation and aesthetics of the pre-existing neighboring properties with the goal of optimizing and enhancing the building site for shop construction while also matching the site aesthetics and site elevations of the neighboring properties and structures. As such, it would simply be the best design and architectural placement of the shop structure to keep the building set back as far away from the highway and the fill edge as possible. In this case, setting the building back nearly 40 feet from the highway ROW instead of the minimum 25 feet is a valuable objective. In addition, these are oddly angled lots and placement of the shop with a 0' setback from Fir Dr. will allow the shop to fit better on the build site.

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?*

Building a shop structure on this site is directly compatible with other neighboring parcels as all have either existing or planned shops facing along Fir Drive. These Split Zoned Rural 5 parcels along Fir Drive are separated from their Recreation Zoned portions which are on the opposite side of Hwy 200. Fir Drive was established in 1957 during the development of Tall Timber Tracts, as the sole access to these properties from Denton Road and before the construction of Hwy 200. With the construction of Hwy 200, Fir Drive no longer served the original purpose as primary access to the lakeshore and was relegated to the role of dead-end, tertiary level access road, for local/shop access only. Several existing shop structures along Fir Drive are already in violation of the 25' setback. As a neighboring landowner along Fir Drive, I do not see any problem with my neighbors' current shop structures being within the 25' setback as the existing 30' width of Fir Dr provides plenty of room to access our properties. A zero foot setback from Fir Dr does not obstruct public access or create a safety hazard.

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: _____

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: Public access via Mariner Way to Fir Drive. Fir Drive is 30' wide, level and gravel surface. Private easement access off Hwy 200 is gravel, 15' wide and 5% grade. This private easement access is defined in instrument number 98978.

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: This building site is now level after added fill in order to match neighboring property elevation and optimize the building site. There is approximately a 10 foot drop in elevation along the fill edge from the level building site surface to the original lot level along the West edge of the property. There is a 15-20' wide buffer zone of trees between the fill edge and the highway right-of-way. This buffer zone of trees was left on site to help screen the shop structure from the highway and to help support the fill edge.

Water courses (lakes, streams, rivers & other bodies of water): There is no water source on this Rural 5 portion of Lot 2B - Tall Timber Tracts.

Is site within a floodplain? Yes No Firm Panel #: _____ Map designation: _____

Springs & wells: None

Existing structures (size & use): There are no existing structures on this Rural 5 portion of Lot 2B.

Land cover (timber, pastures, etc): There is a 15-20' wide buffer zone of mature trees between the fill edge and the Highway 200 right-of-way. This offers visual screening of the proposed shop structure from Highway 200 and also helps support the fill edge. Additional trees will be planted on the building site after the shop structure is completed.

Are wetlands present on site? Yes No Source of information: GIS FEMA Flood Map

Other pertinent information (attach additional pages if needed): _____
****See Attached Supplemental Narrative:**

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: _____

Explain the type of sewage system, capacity, maintenance plan, location of facilities, if applicable and other details: There is no planned sewer service to this shop structure.

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: There is no planned water service to this shop structure.

Distance (in miles) to the nearest:

Public/Community Sewer System: 1/4 mile

Solid Waste Collection Facility: 7 miles

Public/Community Water System: N/A

Fire Station: 1/2 mile

Elementary School: Hope Elementary - 3/4 mile

Secondary Schools: Clark Fork - 8 miles

County Road: 1/2 mile

County Road Name: Denton Road

Which fire district will serve the project site? Sam Owen Fire

Which power company will serve the project site? Avista

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: No Impact.

Population: No Impact.

School facilities & Transportation: No Impact.

Economic Development: No Impact.

Land Use: No Impact.

Natural Resources: No Impact.

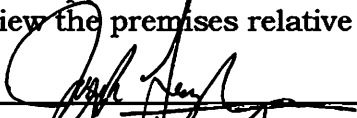
Hazardous Areas: No Impact.

Public Services: No Impact.

Transportation: No Impact.

Recreation: <u>No Impact.</u>
Special Areas or Sites: <u>No Impact.</u>
Housing: <u>No Impact.</u>
Community Design: <u>No Impact.</u>
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:  Date: 3/15/2024

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