



Bonner County Planning Department

"Protecting property rights and enhancing property value"

1500 Highway 2, Suite 208, Sandpoint, Idaho 83864

Phone (208) 265-1458 - Fax (866) 537-4935

Email: planning@bonnercountyid.gov - Web site: www.bonnercountyid.gov

October 3, 2024

Camelot Lane II LLC.
8216 Warren DR NW
Gig Harbor, WA 98335

Subj: File V0020-24 – Variance – Property Line Setback/Impervious Surface

Encl: (1) File V0020-24 Hearing Examiner Approved Site Plan

Dear Applicant,

The Bonner County Hearing Examiner, at the October 2, 2022 hearing, approved the referenced application with conditions.

Hearing Examiner Rucker hereby approved this project FILE V0020-24, requesting a 6.5' property line setback where 10' is required and an impervious surface area of 13,266 ft² where 9,453 ft² is required, finding that it is in accord with the Bonner County Revised Code as enumerated in the following conclusions of law, and based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. Hearing Examiner Rucker further adopted the findings of fact and conclusions of law as set forth in the Staff Report and directed planning staff to draft written findings and conclusions to reflect this decision and transmit to all interested parties. The action that could be taken to obtain the variance is to complete the Conditions of Approval as adopted. This action does not result in a taking of private property.

FINDINGS OF FACT

1. The site does contain mapped slopes per USGS.
2. The site does contain mapped wetlands per NWI.
3. The site does contain frontage on the Pend Oreille River.
4. Parcel is within SFHA Zone AE per FIRM Panel Number 16017C0925E, Effective Date 11/18/2009.
5. The parcel is served by community water, community septic system, Sagle Fire District, Northern Lights, Inc. and Lake Pend Oreille School District #84.
6. The lot is platted per Book 11 of Plats, Page 15.
7. The zoning is Rural 5 (R-5). The current land use designation is Rural Residential (5-10 AC).
8. Access is via Lariat Court. This is a Bonner County owned and privately maintained right of way with a gravel travel way.

9. The applicant purchased the subject parcel on June 7, 2021 per Instrument No. 984578, records of Bonner County.

CONCLUSIONS OF LAW

Conclusion 1

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.

Conclusion 2

Special conditions and circumstances **do not** result from the actions of the applicant.

Conclusion 3

The granting of 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. (Ord. 559, 1-4-2017)

CONDITIONS OF APPROVAL:

1. Only the development highlighted on the site plan has been reviewed for variance standards. All other development shown must comply with Bonner County Revised Code.
2. This variance shall not supersede any deed restrictions.
3. Obtain Engineering sign off on a revised stormwater plan with the current impervious surface.
4. Complete all requirements of the Flood Plain Development permits (FDP2022-0010 & FDP2022-0023).

Bonner County Revised Code, Section 12-262, provides an opportunity for affected persons to appeal Hearing Examiner decisions with the Planning Director within 28 days after the final written decision of the Hearing Examiner has been issued. Any such appeal must be submitted in accordance with the referenced code section no later than **5:00 p.m., October 31, 2024. AN APPEAL SHALL BE ACCOMPANIED BY A FILING FEE IN ACCORDANCE WITH THE APPROVED FEE SCHEDULE. THE FEES ARE PAYABLE TO THE BONNER COUNTY PLANNING DEPARTMENT.**

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

Please contact the Planning Department if you have any questions.

Sincerely,

Jacqueline S Rucker

Jacqueline Rucker
Hearing Examiner