



# BONNER COUNTY PLANNING DEPARTMENT

1500 HIGHWAY 2, SUITE 208, SANDPOINT, ID 83864 (208) 265-1458 (208) 265-1463 (FAX)  
planning@co.bonner.id.us (e-mail) <http://www.co.bonner.id.us/planning/index.html> (web page)

## ZONE CHANGE APPLICATION

### FOR OFFICE USE ONLY:

FILE # ZC0004-24

RECEIVED:

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By Alex Feyen at 3:09 pm, Apr 30, 2024

### PROPOSED ZONE CHANGE:

Current zoning: Split - Recreational/R5

Proposed zoning: Recreationl

### APPLICANT INFORMATION:

Landowner's name: Curtis Richard Smith

Mailing address: [REDACTED]

City: Hope

State: Idaho

Zip code: 83836

Telephone: [REDACTED]

Fax:

E-mail: [REDACTED]

### REPRESENTATIVE'S INFORMATION:

Representative's name: Jon King

Company name: C/O Riser Creel Marina

Mailing address: [REDACTED]

City: Hope

State: Idaho

Zip code: 83836

Telephone: [REDACTED]

Fax:

E-mail: [REDACTED]

### ADDITIONAL APPLICANT/REPRESENTATIVE INFORMATION:

Name/Relationship to project: Property Manager

Company name: Riser Creek Marina

Mailing address: [REDACTED]

City: Hope

State: Idaho

Zip code: 83836

Telephone: [REDACTED]

Fax:

E-mail: [REDACTED]

### PARCEL INFORMATION:

Section #: 1

Township: 56N

Range: 1E

Parcel acreage: 0.951

Parcel # (s): RP56N01E018001,

Legal description: See Attachment

Current zoning: Split - Rereational/R5	Current use: Residence and Marina
What zoning districts border the project site?	
North: R5	East: Rural Service Center
South: Commercial	West: N/A - (Lakefront)
Comprehensive plan designation:	
Uses of the surrounding land (describe lot sizes, structures, uses):	
North: Residential - Single Family Home with Attached Garage	
South: Large Commercial Marina, Boat Repair Facility, Residence	
East: Railroad Right of Way	
West: Lake Pend O'reille	
Nearest city: East Hope	Distance to the nearest city: 0.75 mile
Detailed directions to site: From Sandpoint: North on Hwy 95/SH 200 following SH 200 East 13 miles through East Hope, proceeding Southward past Kramer's Marina alongside open water to next approach, 47372 Hwy 200. This is on the lakeside just before Hope Marina, the Floating Restaurant, and Pend O'reille Shores Resort.	

**ADDITIONAL PROJECT DETAILS:**

Explain why the zone change is necessary: This parcel was bisected by Hwy 200 decades ago and a more recent rezoning of the parcel left it "split zoned". Apparently, the lakeside portion of the parcel is zoned Recreational, while the portion East of the highway was left R5. The parcel owner, which operates a small marina on the lakeside portion, wishes to consolidate the zoning to bring the Eastside portion into compliance with the lakeside use.

Is the comprehensive plan map designation for this site consistent with the proposed zoning?  
 Yes     No

How does the proposal meet the specific criteria of the proposed zoning district? (BCRC 12-321 through 12-329) This proposal seeks to consolidate zoning across that which was once a contiguous parcel to bring the Eastside portion into compliance with the lakeside use. This will enable enhancement of recreational opportunities which will further enrich the character of the area.  
The parcel is located in a resort area. Neighboring parcel's use is similar to, compatible with, and enhanced by this parcel's use. The land is physically suitable, served by adequate sewage, water and road services.

Explain how the proposed zone change will effect elements such as noise, light glare, odor, fumes and vibrations on adjoining property: This proposal seeks to consolidate zoning across that which was once a contiguous parcel. subsequently split by the highway 200 encroachment. The proposed zoning change is desirable as it enables compliance with the lakeside use. This proposal will not result in any increase of an effect such as noise, light glare, odors, fumes, or vibrations on adjacent property.

How has the proposal been designed to be compatible with the adjoining land uses? The parcel is located in a resort area. Neighboring uses are similar to, compatible with, and enhanced by this parcel's use. There is a substantial need for moorage on Lake Pend O'reille. The owners and operators of Riser Creek Marina are committed to promoting ecologically sound practices and personalized relationships in line with the historical and cultural advantages our area offers. The marina enhances recreational opportunities for people to enjoy the beauty of the lake and surrounding area. It is a compatible enhancement of the recreational facilities in the nearby surrounding area which includes Holiday Shores Marina, Krammer's Marina, Hope Marina and Pend O'rielle Shores Resort

What extensions of water or sewer lines, roads or other public or private services would be necessary if this zone change were approved? None; as all the named infrastructure currently exists in more than adequate form.

**ACCESS INFORMATION:**

Please check the 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: Property is bisected by Hwy 200 with the Westside access having a commercial encroachment permitted and approved by ITD. The Eastside is served by Mariner Way a County and ITD approved access.

**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: East of the highway, there is a gentle slope from East to West with it being relatively flat from North to South. West of the highway, the land is flat with slight drainage slopes from the base of the highway right of way slope to the rip-rap lining the water's edge.

Water courses (lakes, streams, rivers & other bodies of water): The parcel is bordered to the North by Riser Creek, a stream officially classified as intermittent, and Lake Pend O'rielle to the West.

In response to the question below: The Western portion of the parcel is below the Base Flood Elevation, (when appurtenances are required to be certified by a practicing Engineer as properly anchored. The Eastside is well above BFE. Our Surveyor is applying for a Letter of Map Amendment for this portion of the parcel.

Is site within a floodplain?     Yes     No    Firm Panel #: 1000    Map designation: AE

Springs & wells: The well is on the Eastside portion at elevation 2079.20 with the BFE being 2074.00

Existing structures (size & use): Eastside has a 2 story house, 24' x 32', 768 sq ft per floor. A garage, 20' x 28', 560 sq ft. A detached office, 12' x 16', 192 sq ft. A shed, 10' x 16', 160 sq ft. Westside has a shed, 8' x 16', 128 sq ft. An RV, 8' 6" x 38', 323 sq ft

Land cover (timber, pastures, etc): Eastside is mostly lawn with a line of naturally occurring trees lining the creek bank and the Southern property line. Westside has naturally occurring trees, lawn (GIAs), gravelled parking flat, the ITD right of way has a few birch trees and a golden willow with the slope bearing wilflowers.

Are wetlands present on site?  Yes  No Source of information: Maps & observation

Other pertinent information (attach additional pages if needed): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SERVICES:**

Sewage disposal will be provided by:

Existing Community System - List name of sewer district or provider and type of system:  
Boi-clear Sewage System piped into by 2 vaults. One serving the Westside portion and one serving the Eastside.

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: Bio-clear is a public utility maintained by it's ownership.  
\_\_\_\_\_  
\_\_\_\_\_

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: Private well on the Eastside portion of the parcel. Privately maintained. Water quality has been monitored by samples tested by Panhandle Health. Ultimate capacity is unknown. It predates record keeping, but with use including 24/7 lawn irrigation, it has shown no sign of depletion.  
\_\_\_\_\_  
\_\_\_\_\_

Distance (in miles) to the nearest:

Public/community sewer system: On site Solid waste collection facility: 7 miles

Public/community water system: N/A Fire station: 1.5 miles

Elementary school: 2 miles Secondary schools: 10 miles

County road: 1.5 miles County road name: Peninsula Rd.

Which fire district will serve the project site? Sam Owen

Which power company will serve the project site? Avista

**How is the proposed zone change in accordance with the specific objectives of the comprehensive plan? (Please see attached copy of the goals and objectives):**

Property Rights: No adverse effect is anticipated Rather, the proposal protects and enhances values of nearby properties by maintaining consistency of use and enhancing recreational opportunities in the community.

Population: This proposal has no implications for demographic change; the essential existing use of the property will not change vis a vis population and demographic impact.

School Facilities & Transportation: This proposal will not affect local school districts, roads, trails or bicycle paths used by students attending school.

Economic Development: This proposal will support small business, (Riser Creek Marina), which in turn encourages visitation support for residents and other small business in the community. There are no adverse impacts/implications.

Land Use: The proposed zoning is consistent with the zoning of neighboring parcels. The parcel is situated in an area of clustered development of similar nature.

Natural Resources: This proposal seeks to consolidate zoning across that which was once a contiguous parcel. Such consolidation futhers the ability to promote ecologically sound practices, protecting, maintaining and enhancing the areas natural resources

Hazardous Areas: The proposed zoning would go hand in hand with applicant's parallel efforts in creating a floodplain plan to prevent losses due to natural hazards.

Public Services: The proposal does not adversely affect the quality and availability of pubic services

Transportation: The proposal does not require enhancement or increase in capacity of the current transportation system.

Recreation: This proposal protects, encourages and promotes public and private recreational opportunities in the area by expanding support available to existing marina facilities.

Special Areas or Sites: Lake Pend O'reille is a special area. The goal is to provide better supported access to this special area

Housing: This proposal has no implications for housing.

Community Design: This proposal not only enables an expansion of healthy lifestyles, it enhances community lifestyle by supporting the small business of Riser Creek Marina which in turn facilitates access to Lake Pend O'reille for recreational opportunities.

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: 4-29-2024

Landowner's signature: \_\_\_\_\_ Date: \_\_\_\_\_