



# Bonner County

## Board of Commissioners

Asia Williams

Ron Korn

Brian Domke

January 27, 2025

Snowmass Enterprises LLC  
270 Rapid Lightning Rd  
Sandpoint, ID, 83864

**Subj: File ZC0006-24 – Zone Change – Rural-5 to Recreation**

Dear Applicant,

The Bonner County Commissioners at the January 22, 2025 public hearing denied the referenced application.

**MOTION TO DENY:** Commissioner Domke moved deny this project, FILE ZC0006-24, requesting a zone change from Rural 5 to Recreation, on approximately 1.81 acres generally located in Sections 21, Township 57 North, Range 1 East, Boise Meridian, Bonner County, Idaho, based upon the following conclusions:

Conclusion 1

The proposal **is not** in accord with the elements of the Bonner County Comprehensive Plan, since it is not designated as recreation but as rural residential.

Conclusion 2

This proposal was reviewed for compliance with Title 12, Bonner County Revised Code, and **is not** found to be in compliance, specifically 12-328.B.2.

This motion is based upon the evidence submitted up to the time the Staff Report was prepared, and testimony received at this hearing. Commissioner Domke further moved to adopt the findings of fact and conclusions of law as set forth in the Staff Report (or as amended during this hearing) and direct planning staff to draft written findings and conclusions to reflect this motion, have the Chairwoman sign, and transmit to all interested parties. This action does not result in a taking of private property. The actions that could be taken are:

- 1) File a new application with the Planning Department and meet the standards required by Bonner County Revised Code; or
- 2) Pursue such remedies as may be applicable at Title 67, Chapter 65, Idaho Code.

Commissioner Korn seconded the motion.

**Roll Call Vote:**

Commissioner Domke	Aye
Commissioner Williams	Aye
Commissioner Korn	Aye

**VOTED** upon and the Chair declared the motion carried, with a 3-0 vote.

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**Findings of Fact:**

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1. The parcel would be served by an individual well and septic system.
2. The parcel is located within the Trestle Creek Sewer District but has not shown proof of service or a will-serve letter.
3. The parcel is below the lot size minimum for the higher-density zones, at 1.81-acres with no urban services.
4. The parcel is located near existing public and private recreational areas such as resorts, boat launches, marinas, and restaurants.
5. Access to the parcel is currently part of a network of developed public right-of-way and a privately owned and maintained road. The parcel is accessed from Highway 200, a State of Idaho owned and maintained paved public right-of-way and Creekside Lane, a privately owned and maintained gravel road; Creekside Lane does not have an issued encroachment permit from the Idaho Transportation Department.
6. The proposal does not contain mapped streams or wetlands.
7. The proposal is not within a mapped critical wildlife habitat.
8. The proposal is located within FEMA SFHA Zone A, per Bonner County Floodplain Manager.
9. Electricity is provided by Avista Utilities.
10. The property is within the Sam Owen Fire District.
11. Law enforcement and emergency services are provided by Bonner County Sheriff's Department and Bonner County EMS.
12. The applicant was denied a Comprehensive Plan Map Amendment from Rural Residential to Resort Community, File AM0004-24 on January 22, 2025. On August 6, 2024, the Planning Commission recommended approval of file AM0004-24 to the Board of County Commissioners.
13. On September 19, 2024, the Zoning Commission Recommended approval of this file in a 5-0 vote.
14. The Board disagreed with the Zoning Commission's recommendation of approval based on the lack of services provided to the property, the property is contiguous with residential properties, the access to the property has not been approved by ITD, and the parcel size being more appropriate for the Rural 5 designation.

Please contact the Bonner County Planning Department if you have any questions.

Sincerely,

*Asia Williams*

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Asia Williams, Chair  
Board of County Commissioners

c: Dan and Joshua Provolt, Project Representative