



Bonner County Planning Department

"Protecting property rights and enhancing property value"

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July 7, 2025

Mark and Turi Hoversten
946 Sandpiper Shores Rd.
Coolin, ID 83821

Subj: File V0013-25 - Variance

Appendices: (A) Reasoned Statement for V0013-25
(B) File V0013-25 Hearing Examiner Approved Site Plan

Dear Applicant,

The Bonner County Hearing Examiner approved the referenced application with conditions.

Hearing Examiner Rucker approved this project V0013-25, finding that it **is** in accord with the Bonner County Revised Code as enumerated in the following 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)

This decision is based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at the Hearing. Hearing Examiner Rucker has provided a Reasoned Statement attached as Appendix A, adopts the analysis provided in the Staff Report (or as amended in the adopted reasoned statement), and directs Planning Staff to transmit this decision 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 the taking of private property.

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. A Stormwater Management Plan will be required pursuant to BCRC 12-720.2 and shall be submitted at the time of the Building Location Permit.
4. Building Location Permits must be obtained.

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., August 4, 2025. 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)*).

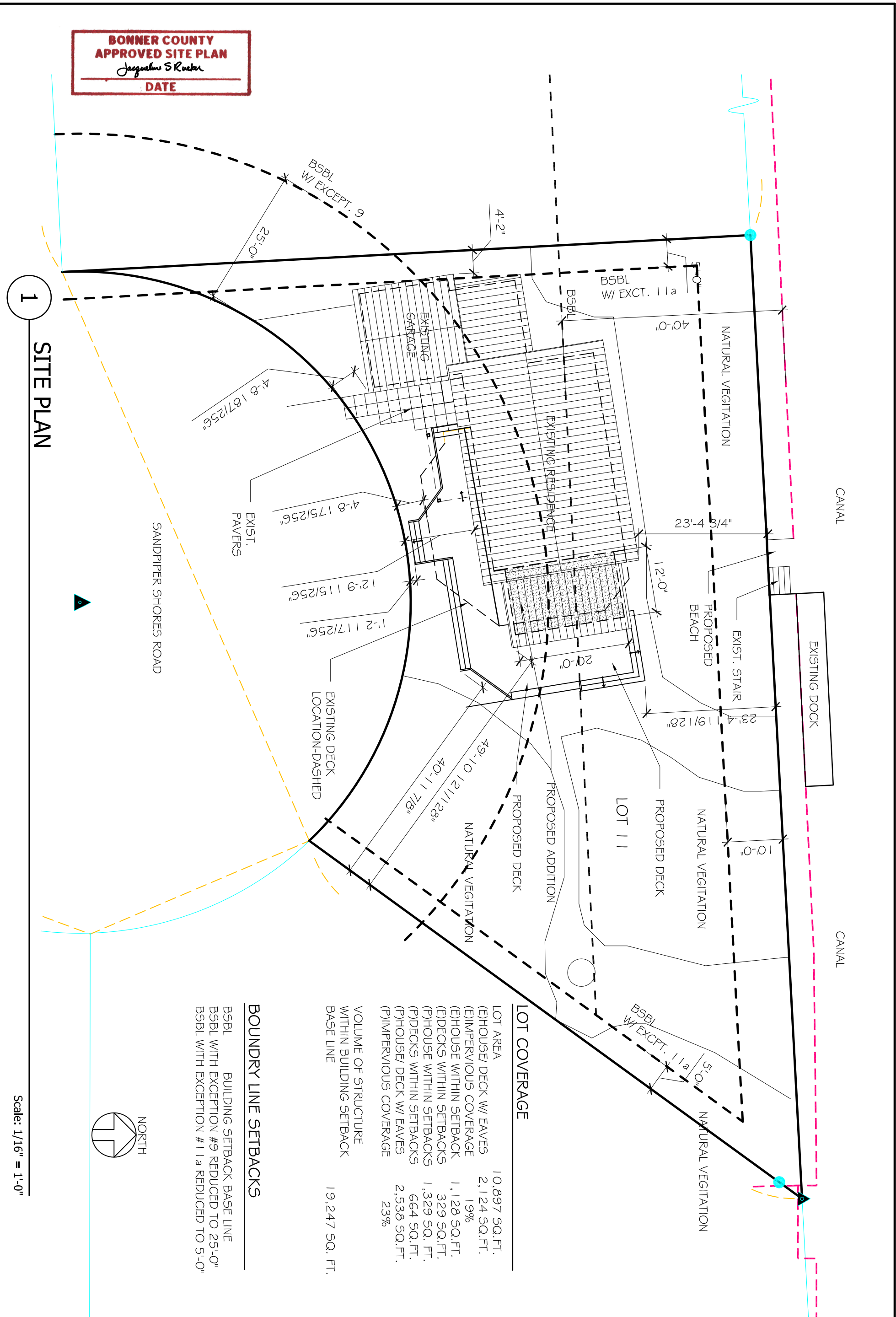
Please contact the Planning Department if you have any questions.

Sincerely,



Jacqueline Rucker
Hearing Examiner

cc. Quinton Holbrook
Holbrook Construction



REVISIONS:
1.
2.
3.
4.



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HOVERSTEN RESIDENCE
BONNER COUNTY
946 SANDPIPER SHORES ROAD
COOLIN, IDAHO 83821

DATE: 1.1.25	<div> <div>SHEET CONTENTS:</div> <div>SITE PLAN</div> </div>
DESIGNER: DAN	
DRAWN: GSK	
JOB NO: 202325	
SHEET:	

Appendix A: Reasoned Statement for V0013-25

Per Idaho Code §67-6516:

“A Variance shall not be considered a right or special privilege, but may be granted to an applicant only upon a showing of undue hardship because of characteristics of the site and that the variance is not in conflict with the public interest.

The following is the supporting evidence that I, Jacqueline S Rucker, Bonner County Hearing Examiner used to determine my decision.

1. BRCR 12-232: General Provisions

a. Evidence:

This Variance application is seeking a reduced street setback of 1’ where 25’ is required and a bulk increase within the shoreline setback and right-of-way setback to allow for a 37% increase in bulk to accommodate an addition to the single family dwelling and attached deck.

2. BRCR 12-233: Application, contents

a. Evidence:

In accordance with BCRC 12-233, the applicant submitted all of the required documents and the application was deemed complete by the Bonner County Planning Department.

3. BCRC 12-234: Variance, standards for review of applications

A. 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.

1. Evidence:

The subject property is irregularly shaped in comparison to other lots in the vicinity due to its position at the end of the cul-de-sac. This positioning creates an approximate 4’ building envelope when the required setbacks are taken into account.

B. Conclusion 2:

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

1. Evidence:

Since acquiring the property, on May 28, 2002, there is no record indicating any alteration to the lot’s size, shape, or topography by the applicant.

C. 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)

1. Evidence:

No agency or public comments were received that suggested any conflict. The HOA granted approval of the proposed project.

4. BCRC 12-7.2 et seq.: Grading/Erosion/Stormwater Management

a. Evidence:

Per BCRC 12-720.3(K), a Stormwater Management Plan will be required pursuant to BCRC 12-720.2 and shall be submitted at the time of the Building Location Permit.

5. BCRC 12-711: Shoreline Setbacks

a. Evidence:

The subject property has frontage on a man-made canal off Priest Lake and this has resulted in comments from Idaho DEQ via a standard form letter they often issue when a waterfront setback comes into question. However, no specific application related concerns were presented. The proposed expansion is to the existing residence which sits in the center of the lot.

6. BCRC 12-344: Non-conforming Structures

a. Evidence:

The proposed addition to the non-conforming existing residence will lie primarily within the footprint of the current existing deck per the site plan. The portions of the proposed addition and deck that are to be built past the current deck's footprint will extend into the center of the lot, also per the site plan.