

# Bonner County Planning Department

*"Protecting property rights and enhancing property value"*

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## Short Plat Administrative Decision Letter

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September 25, 2025

Elmer Hamilton

[REDACTED]  
Sandpoint, ID 83864

**Subject: Short Plat #SS0003-25, Hamilton Pond:  
Preliminary Plat Administrative Decision Letter**

**Encl: A copy of Approved Preliminary Plat**

Dear Mr. Hamilton,

The referenced application is hereby administratively approved with conditions as of the date of this letter.

The applicant or interested parties had 10 days from the date of the issuance of the staff report to provide written comment in response. As of the date of this decision letter there hasn't been any responses received in the ten-day comment period. The ordinance and standards used in evaluating the application, the Findings of Facts, the Conclusions of Law and the Conditions of Approval imposed are as follows:

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### Applicable Bonner County Revised Code Standards:

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The following sections of BCRC, Title 12, apply to this project:

BCRC 12-2.6	Abandonments, Appeals, Complaints, Exceptions, Fees, Modifications, Public Hearings, Application Processing
BCRC 12-264	Administrative Exceptions
BCRC 12-268	Application Process, General Provisions
BCRC 12-411	Density and Dimensional Standards:
BCRC 12-610	Applicability/ Qualifications
BCRC 12-611	Definitions
BCRC 12-612.A	Replatting Required
BCRC 12-620	Design Standards: General
BCRC 12-621	Design Standards: Lot Design
BCRC 12-623	Design Standards: Services and Utilities
BCRC 12-624	Design Standards: Roads and Access
BCRC 12-625	Design Standards: Trails and Parks
BCRC 12-626	Design Standards: Environmental Features
BCRC 12-627	Subdivisions in the Commercial and Rural Service Center Districts
BCRC 12-640	Subdivisions, Processing of Subdivision Applications, General
BCRC 12-641	Subdivisions, Pre-application review

BCRC 12-642	Preliminary Plat, Contents of Application
BCRC 12-644	Improvement Plan Required, Contents
BCRC 12-645	Standards for review of Applications for Preliminary Plat of all Subdivisions
BCRC 12-646	Final Plat, Contents
BCRC 12-647	Endorsements to be shown on Final Plat
BCRC 12-648	Procedure for Final Plat Review and Approval
BCRC 12-649	Digital Submission of Final Plat
BCRC 12-650	Application/ Contents of Preliminary Plats for Short Plat Procedure
BCRC 12-651	Short Plat, Procedure for approval of Preliminary Plat
BCRC 12-652	Short Plat, Contents of Final Plat, Procedure for Approval of Final Plat
BCRC 12-7.1	Shorelines
BCRC 12-7.2	Grading, Storm water Management and Erosion Control
BCRC 12-7.3	Wetlands
BCRC 12-7.4	Wildlife
BCRC 12-7.5	Flood Damage Prevention
BCRC 12-7.6	Hillsides

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## Findings of Facts:

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1. The applicant is requested to re-plat approximately 13.89 acres of platted land, zoned Rual-5, to create 2 new lots, 4.49 acres and 9.4 acres in size.
2. The applicant has an approved administrative variance recorded at Instrument #995889 for lot size of 4.49 acres.
3. The proposal is currently accessed off Sunnyside Road, a Bonner County owned and maintained right-of-way.
4. The proposal contains mapped slopes of 0 to  $\geq 30\%$  grade per (USGS).
5. Avista Utilities can provide electricity to the proposed lots.
6. Northside Fire District, Bonner County Sheriff's Department, Lake Pend Oreille School District #84, Pend Oreille Hospital District and Bonner County Ambulance District can provide public services.

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## Conclusions of Law:

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**Based upon the findings of fact, the following conclusions of law are adopted:**

**Conclusion 1:** The proposed subdivision **is** in accord with the purposes of this Title and of the zoning district in which it is located.

**Conclusion 2:** The site **is** physically suitable for the proposed development.

**Conclusion 3:** The design of the proposed subdivision **will not** adversely impact Bonner County's natural resources, as identified in the comprehensive plan. Any adverse impacts or potential for impacts shall be mitigated as a condition of approval.

**Conclusion 4:** The public and private services, including but not limited to water, sewer services, solid waste, fire protection, emergency services, and school facilities and transportation, which will serve the proposed subdivision **are** adequate for

the needs of future residents or users.

**Conclusion 5:** The proposed subdivision **will not** cause circumstances to exist that will cause future residents or the public at large to be exposed to hazards to health or safety.

**Conclusion 6:** The design of the proposed subdivision or related improvements **will** provide for coordinated access with the county system of roads and with adjacent properties and **will not** impede the use of public easements for access to, or through the proposed subdivision. The proposed transportation system **is** designed to adequately and safely serve the future residents or users without adversely impacting the existing transportation system by reducing the quality or level of service or creating hazards or congestion.

**Conclusion 7:** The proposed subdivision **is** designed to comply with the design criteria for subdivisions set forth in Subchapter 6.2 of this chapter.

**Conclusion 8:** The proposed subdivision **is** in accord with the Bonner County Comprehensive Plan.

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### **Conditions of Approval:**

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1. Per BCRC 12-642.B.8, note proposed method of solid waste disposal on the plat.
2. Per BCRC 12-642.B.11, indicate the intended use of the parcels, i.e. residential, agricultural, etc. in the plat notes.
3. The final plat contents shall conform to BCRC 12-646 "A thru M".
4. As per BCRC 12-646(D), update the plat to show/include the following before final plat submission per Bonner County Road & Bridge:
  - a) Indicate the total ROW width for Sunnyside Road.
  - b) Label Sunnyside Road as a public, county maintained
  - c) List the instrument number for how this ROW was established.
5. As per BCRC 12-648.A, the applicant shall submit final plat check fees, current preliminary title report and one blueprint copy of the proposed final plat. Instead of submitting one blueprint copy, the applicant may submit a pdf copy of the final blueline plat.
6. As per BCRC 12-648.B, final plat must conform to the final plat requirements of Idaho Code Section 50-1304, BCRC 12-647 and BCRC 12-649.
7. As per BCRC 12-651.G, the preliminary short plat shall be valid for a period not to exceed two (2) calendar years from the date of approval. At any time prior to the expiration date of the preliminary short plat, an applicant may make a written request to the planning director for an extension of the preliminary short plat for a period up to two (2) years, finding that conditions or applicable regulations have not changed so substantially as to warrant reconsideration of the proposed subdivision with respect to the public health, safety, and general welfare. The planning director may recommend such request for extension at any regular business meeting of the board of commissioners. The extension request must be approved or denied prior to the expiration date of the preliminary short plat.

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**NOTE:** Any determination made by the Planning Director or his designee in the administration of this decision may be appealed to the Board of County Commissioners by notifying the Planning Director in writing of the intent to appeal within ten (10) calendar days from the date of this determination. (BCRC 12-653(h)).

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 this department if you have any questions.

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(c)).

Sincerely,



Alex Feyén  
Interim Planning Director

September 25, 2025  
Date