



BONNER COUNTY PLANNING DEPARTMENT

HEARING EXAMINER

STAFF REPORT FOR JUNE 18, 2025

Project Name: **Davis – Lot Size Minimum**

File Number,Type: **FILE #V0011-25**

Request: The applicant is requesting a 37% lot size minimum variance to create a 6.329-acre lot where 10-acres is required.

Legal Description: 19/20-57N-4W HENERY'S LOTS LOT 2 CPWRS

Location: Section 19/20, Township 57 North, Range 04 West, Boise-Meridian.

Parcel Number: RP042050000020A

Parcel Size: 19.39-acres

Applicant: Troy & Bonnie Davis
[REDACTED]
Priest River, ID 83864

Project Representative: Kristopher James
Glahe & Associates
303 Church Street
Sandpoint, ID 83856

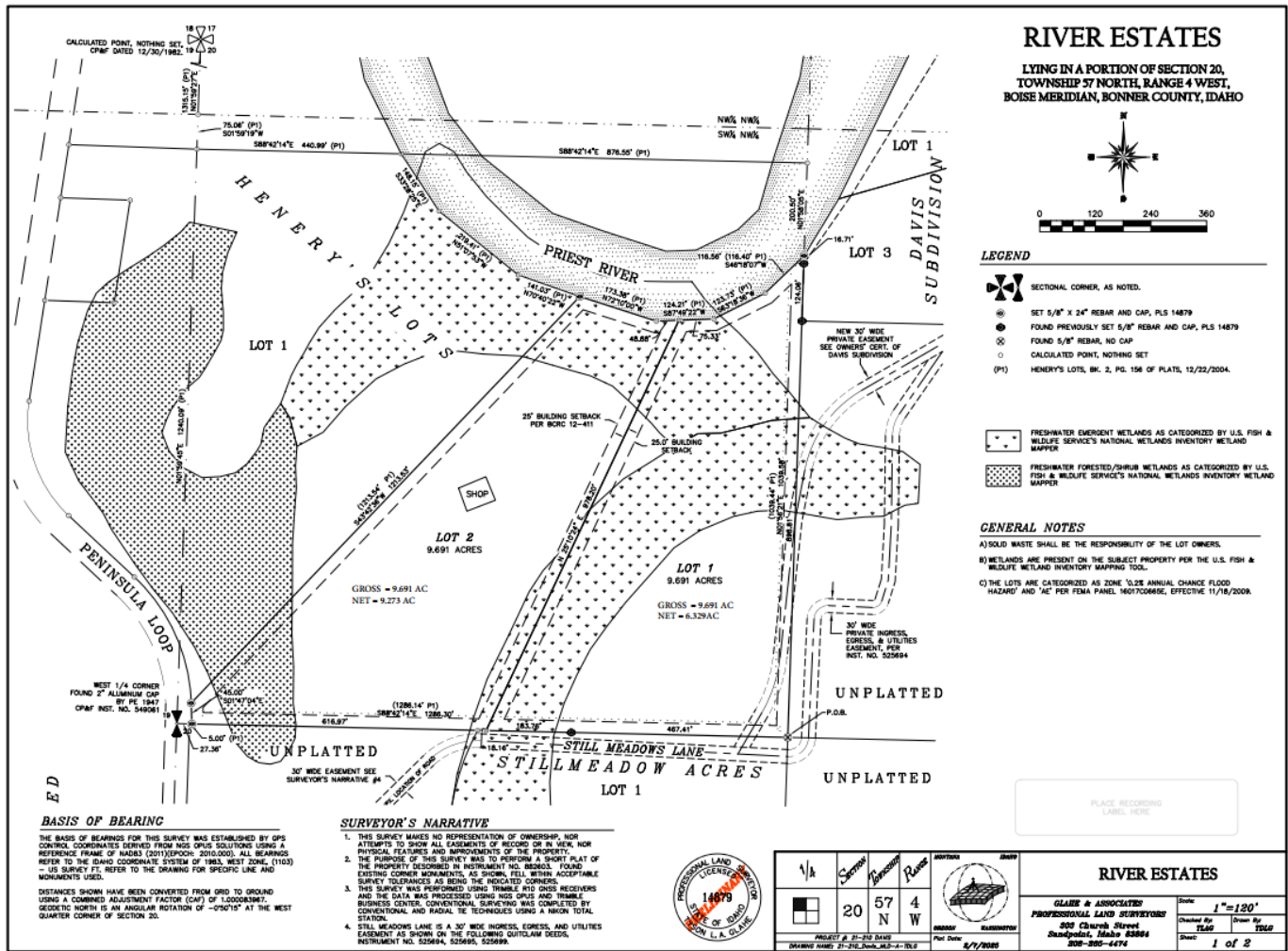
Property owner: Troy & Bonnie Davis

Application filed: April 7, 2025

Notice provided: Mail: May 23, 2025
Site Posting: June 9, 2025
Published in newspaper: May 28, 2025

Appendices: Appendix A – Notice of Public Hearing Record of Mailing
Appendix B – Agency Comments
Appendix C – Land Use Decision-Making Worksheet

Site Plan



Project summary:

The applicant is requesting a 37% lot size minimum variance to create a 6.329-acre lot where 10-acres is required. The 19.390-acre property is predominantly zoned Rural 10. The eastern 20 feet of proposed Lot 1 appears to be zoned Rural 5. While this may be due to a mapping error, there has not been an official zoning determination made by the Board of County Commissioners. The project site is located off Still Meadows Lane in Sections 19 & 20, Township 57 North, Range 04 West, Boise-Meridian.

Applicable laws:

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

BCRC 12-232, General provisions
BCRC 12-233, Application, contents
BCRC 12-234, Variance standards
BCRC 12-400, et seq., Development standards
BCRC 12-622, Submerged Lands
BCRC 12-7.2, et seq., Grading/erosion/stormwater management
BCRC 12-800 et seq., Definitions

Background:

A. Site data:

- Land Use: Residential
- Platted – Henery’s Lots Lot 2
- Size: 19.390-acres
- Zone: Rural 10
- Land Use: Rural Residential (5-10 AC)

B. Access:

- Still Meadows Lane, a 30’ wide privately owned and privately maintained easement.

C. Environmental factors:

- Site does contain mapped slopes. (USGS)
- Site does contain mapped wetlands. (USFWS)
- Site does contain a river/stream/frontage on lake
- Parcel is within SFHA Zone AE, AE Floodway, and Shaded Zone X per FIRM Panel Number 16017C0665E, Effective Date 11/18/2009.

D. Services:

- Water: Individual Well
- Sewage: Individual Septic
- Fire: West Pend Oreille Fire District
- Power: Avista Utilities
- School District: West Bonner School District #83

E. Comprehensive Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Land Use & Density
Site	Rural Residential (5-10 AC)	Rural 10 (R-10)	Residential – 19.390-acres
North	Rural Residential (5-10 AC)	Rural 10 (R-10)	Undeveloped – 20.60-acres
East	Rural Residential (5-10 AC)	Rural 5 (R-5)	Residential – 12.70-acres
South	Rural Residential (5-10 AC)	Rural 10 (R-10)	Residential – 6.30-acres
West	Rural Residential (5-10 AC)	Rural 10 (R-10)	Residential – 18.410-acres

F. BCRC 12-232, General Provisions

In accordance with BCRC 12-232, the applicant is seeking a 37% variance to lot size minimums.

G. BCRC 12-233, Application, contents

In accordance with BCRC 12-233, the applicant submitted all the required documents and the application was deemed complete on April 14, 2025.

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

BCRC 12-234 specifies that "The staff, Zoning Commission, hearing examiner and/or Board shall review the particular facts and circumstances of each proposal submitted. To grant a variance, the hearing examiner or the Governing Body must find adequate evidence showing that:

- (a) 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.**

Applicant: "The subject property is 9.691 acres, with 3.362 acres of submerged lands per the NWI Online Mapper. Unlike most properties in the same zoning district, this parcel's submerged lands are excluded from the lot size calculation under BCRC 12-622, reducing its effective acreage below the minimum required for a Short Plat in R-10. This condition is beyond the applicant's control. Despite the submerged portion, the upland area meets all requirements for access, utilities, and development. The variance request is well within a reasonable allowance and granting it would allow for equitable treatment compared to similar properties while still aligning with the zoning ordinance's intent."

Staff: According to GIS LiDAR data, the site includes mapped slopes, primarily concentrated along the shoreline areas of the property. Based on the National Hydrography Dataset (NHD), the property has frontage on Priest River as well as a "lake or pond" waterbody and contains mapped Freshwater Emergent Wetlands. Additionally, the parcel is located within Special Flood Hazard Areas (SFHA), including Zone AE, the AE Floodway, and Shaded Zone X. As such, any future development will require appropriate Floodplain Development Permitting. The subject lot contains approximately 3.779-acres of submerged land. Per BCRC 12-622, submerged lands are not to be counted in the calculations for determining the maximum density for a subdivision. These environmental characteristics present notable challenges that may complicate or limit development opportunities on the site.

Also to note, the subject lot is 19.390-acres. Without considering the submerged lands, this proposal would still require a variance as the subject lot is not able to be divided in half and still meet the zoning minimum of 10-acres.

- (b) Special conditions and circumstances do not result from the actions of the applicant.**

Applicant: "The special conditions affecting this property are natural and not the result of any action by the applicant. The property's boundaries and total acreage existed prior to the variance request, and the applicant has not altered the lot in a way that would create a noncompliant or unbuildable parcel. Under BCRC 12-622, submerged lands are excluded from the lot size calculation, reducing effective acreage below what is required. However, the applicant had not taken any steps that would have contributed to this restriction. The limitation exists solely due to natural conditions over which the applicant has no control."

Staff: The applicant acquired the subject property via Warranty Deed, Instrument #882603, recorded on November 24, 2015. The subject lot appears to have been first platted as Lot 2 of Henery's Lots, Book 7, Page 156. There is no evidence that the applicant has changed the lot size, shape, or topography since obtaining it.

- (c) 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.**

Applicant: "Granting this variance does not conflict with the public interest and will not be detrimental to public health, safety, or welfare. The request is strictly an administrative adjustment to how the parcel's acreage is calculated and does not alter the land use, density, or environmental conditions. The proposed lot split maintains compliance with zoning and development standards, ensuring no adverse impact on surrounding properties. The variance will not obstruct public access, create safety hazards, or generate nuisances such as noise, light glare, odor, or vibration. Both the existing and proposed parcels will continue to function in the same manner as neighboring properties, making the use fully compatible with adjoining land uses."

Staff: Per the comment from the Bonner County Floodplain Review, "This parcel is within Special Flood Hazard Area (SFHA) AE and SFHA AE Floodway per FIRM Panel Number 16017C0665E, Effective Date 11/18/2009. Per BCRC 12-111, the purpose of zoning code in Bonner County is to promote the health, safety and general welfare of the people of Bonner County. Further, per BCRC 12-111, Bonner County zoning code is also intended to protect life and property in areas subject to natural hazards and disasters. These natural hazards include floodplains. Per BCRC 14-102, the flood hazard areas of Bonner County are subject to periodic inundation that results in the loss of life and property, health and safety hazards, the disruption of commerce and governmental services, extraordinary public expenditures for flood relief and protection, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare. Further, per BCRC 14-102, local government units have the primary responsibility for planning, adopting, and enforcing land use regulations to accomplish proper floodplain management. Per BCRC 14-505, areas designated as floodways are located within the Special Flood Hazard Areas and are extremely hazardous areas due to the velocity of floodwaters that have erosion potential and carry debris and potential projectiles. This variance request is a request to make special exception to established zoning rules that will result in a doubling of the flood risk exposure in an already hazardous area. This variance request is also a request to make special exception to established zoning rules that will result in a doubling of the flood risk exposure in a federally designated floodway area. Approval of this variance request would be directly contrary to the purpose of zoning code in Bonner County as outlined in BCRC 12-111. It is strongly recommended that this application be denied, and it is my opinion that the County decision-making bodies in this matter are obligated to deny this application. Approval of this application would be contrary to the obligation of the County to promote the health, safety and general welfare of the people. Approval of this application would be contrary to the County's obligation to protect life and property in areas subject to natural hazards and disasters. Lastly, the county should certainly be obligated not to make special exceptions to established rules (i.e. a variance) that will directly result in increases in risk to life and property in areas subject to natural hazards and disasters."

No other comments from agencies or the public were received highlighting conflict with the public interest.

I. BCRC 12-622, Submerged Lands

Per BCRC 12-622, Lands below the applicable natural or ordinary water mark, or if the applicable artificial high-water mark, of any lake, river, stream channel or other body of public water shall not be counted in the calculations for determining the maximum density for a subdivision.

The proposed short plat is on a lot containing approximately 3.779-acres of submerged land. With this land not being able to be considered for maximum density, it leaves these proposed lots below zoning minimums.

J. BCRC 12-7.2 et seq., Grading/erosion/Stormwater management

A stormwater management plan was not required, pursuant to BCRC 12-720.3(k) because the proposal does not result in the creation of additional impervious surface, as defined.

K. Agency Review

Agencies were notified of this project on May 6, 2025. A full list of the agencies notified can be found in the attached Appendix A.

The following agencies commented:

Bonner County Historical Society
Bonner County Floodplain Management

The following agencies replied "No Comment":

Idaho Transportation Department
Idaho Department of Environmental Quality

All other agencies did not reply.

I. Public Notice & Comments

At the time this Staff Report was written, no public comments have been received.

Staff Analysis:

The 19.39-acre property is located along Priest River and includes environmental features such as slopes near the shoreline, freshwater emergent wetlands, and areas within FEMA-designated flood zones (Zone AE, AE Floodway, and Shaded Zone X). About 3.779 acres of the property are submerged and cannot be used to calculate allowable subdivision density, per BCRC 12-622. Due to this, and zoning requirements requiring a minimum of 10 acres per lot, the property cannot be subdivided without a variance. There are no indications that

the applicant has changed the lot size, shape, or topography that would have triggered the requirement for this variance.

Based on a comment from Bonner County Floodplain Review, this proposal may be in conflict with the public interest as it seeks to increase the density in the SFHA Zone AE Floodway, directly related to public health and safety.

Planner's Initials: KS Date: 06/12/2025 Note:
The final decision rests with the governing body after the completion of the public hearing and consideration of all relevant oral and written testimony and evidence.

Proposed Conditions of Approval:

Standard permit conditions:

- A-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.

- A-2** This variance shall not supersede any deed restrictions.

- A-3** Complete the submitted Short Plat application, File #SS0001-25.

The complete file is available for review in the Planning Department, 1500 Highway 2, Suite #208, Sandpoint, ID. Some file application material is available online at www.bonnercountyid.gov Bonner County Revised Code (BCRC) is available at the Planning Department or online.

Appendix A – Notice of Public Hearing Record of Mailing

RECORD OF MAILING



Page 1 of 1

File No.: V 0 0 1 1 - 2 5

Record of Mailing Approved By:

I hereby certify that a true and correct copy of the "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this 23rd day of **May, 2025**.



Jessica Montgomery, Hearing Coordinator

Assessor - Email

Bay Drive Recreation District - Email

Bonner County Airport Manager - Email

Bonner County EMS - Email

Bonner County Road & Bridge - Email

Bottle Bay Water & Sewer District - Email

City of Dover - Email

City of Hope - Email

City of Oldtown - Email

City of Priest River - Email

City of Spirit Lake - Email

Coolin-Cavanaugh Bay Fire District - Email

East Bonner Library - Email

Ellisport Bay Sewer - Email

GEM STATE MINER - U.S. Mail

Department of Environmental Quality (DEQ) - Email

Department of Lands - CDA - U.S. Mail

Department of Lands - Navigable Waters & Mining - Email

Idaho Department of Water Resources - IDWR - Email

Transportation Department- District I - Email

Kalispel Bay Sewer & Water - U.S. Mail

KPBX-FM 91 SPOKANE PUBLIC RADIO - U.S. Mail

Laclede Water District - Email

Pend Oreille School District, #84 (Transportation) - Email

Little Blacktail Ranch Water Association - U.S. Mail

Northern Lights, Inc. - Email

Northside Fire District - Email

Panhandle Health District - Email

Priest Lake Public Library District - Email

Sagle Valley Water & Sewer - Email

Schweitzer Fire District - Email

Selkirk Fire, Rescue & EMS - Email

Southside Water & Sewer District - Email

Spokesman-Review - U.S. Mail

Swan Shores Sewer District - U.S. Mail

Tamarack Village Water & Sewer - U.S. Mail

Trestle Creek Sewer District - Email

U.S. Fish & Wildlife Service - Email

West Bonner County Cemetery District - Email

West Bonner Library - Email

West Pend Oreille Fire District - Email

Avista Utilities - Email

Bayview Water & Sewer - Email

BONNER COUNTY DAILY BEE - U.S. Mail

Bonner County Floodplain Review - Email

Bonner County Sheriff - Email

City of Clark Fork - Email

City of East Hope - Email

City of Kootenai - Email

City of Ponderay - Email

City of Sandpoint - Email

Coolin Sewer District - Email

Drainage District #7 - Email

East Priest Lake Fire District - Email

Garfield Bay Water & Sewer District - Email

Granite Reeder Water & Sewer District - Email Idaho

Idaho Department of Fish & Game - Email Idaho

Idaho Department of Lands - Coolin - Email Idaho

Idaho Department of Lands - Sandpoint - Email

Idaho Transportation Department (Aeronautics) - U.S. Mail Idaho

Independent Highway District - Email

Kootenai-Ponderay Sewer District - Email

KSPT-KPND-KIBR RADIO - U.S. Mail

Lake Pend Oreille School District, #84 (Admin Office) - Email Lake

Lakeland Joint School District, #272 - Email

North of the Narrows Fire District - Email

Northland/Vyve Cable Television - Email

Outlet Bay Sewer District - Email

Pend Oreille Hospital District - Email

Priest Lake Translator District - Email

Sam Owen Fire District - Email

SELKIRK ASSOCIATION OF REALTORS - U.S. Mail

Selkirk Recreation District -Email

Spirit Lake Fire District - Email

State Historical Society - Email

Syringa Heights Water Association - Email

Timber Lake Fire District - Email

U.S. Army Corps of Engineers - Email

U.S. Forest Service - U.S. Mail

West Bonner County School District, #83 - Email

West Bonner Water & Sewer District - Email

West Priest Lake Fire District - Email

Appendix B – Agency Comments



Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] Re: Bonner County Planning - V0011-25 Agency Review - Variance - Lot Size Minimum

1 message

Bonner County History Museum <hannah@bonnercountyhistory.org>

To: Bonner County Planning <planning@bonnercountyid.gov>

This site is not adversely impacting any special areas or sites as identified in the State Historic Preservation Office's Idaho Cultural Resource Information System (ICRIS).

Hannah Combs
Bonner County Historical Society

On Fri, May 23, 2025 at 9:00 AM Bonner County Planning <planning@bonnercountyid.gov> wrote:

The above-named application has been submitted to the Bonner County Planning Department for processing.

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections. Please see attached for details

Thank you,
Janna Brown, Administrative Assistant III
Bonner County Planning Department
208-265-1458 ext - 1252



Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] RE: Bonner County Planning - V0011-25 Agency Review - Variance - Lot Size Minimum

1 message

DEQ Comments <deqcomments@deq.idaho.gov>
To: Bonner County Planning <planning@bonnercountyid.gov>

Thu, May 29, 2025 at 2:21 PM

Good Afternoon,

Thank you for providing the opportunity to comment. DEQ has no environmental impact comments for the project listed above at this stage of development.

Thank you,

Idaho Department of Environmental Quality
2110 Ironwood Parkway, Coeur d'Alene, Idaho 83814
Office Line: 208.769.1422

www.deq.idaho.gov

Our mission: To protect human health and the quality of Idaho's air, land, and water.

From: Bonner County Planning <planning@bonnercountyid.gov>

Sent: Friday, May 23, 2025 9:00 AM

To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Bell, Chace <Chace.Bell@idwr.idaho.gov>; Chief Debbie Carpenter <chief@spirittlakefire.com>; City of Clark Fork <city@clarkforkidaho.org>; City of Dover <cityclerk@cityofdoverydaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Oldtown <cityofoldtown@hotmail.com>; City of Priest River <layers@priestriver-id.gov>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spirittlakeid.gov; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Coolin-Cavanaugh Bay Fire Protection District <coolinfirechief@gmail.com>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; dbrown@idl.idaho.gov; Dan McCracken <Dan.McCracken@deq.idaho.gov>; Dan Scholz <dan.scholz@nli.coop>; Dean Davis <deandavis@sd83.org>;

Kristie May <Kristie.May@deq.idaho.gov>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <Frankiejduhn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>; Dan Everhart <Dan.Everhart@ishs.idaho.gov>; DEQ Comments <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; Robert Beachler <robert.beachler@itd.idaho.gov>; ITD - Stacy Simkins <stacy.simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jamie Brown <janieb@inlandpower.com>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; joekren@sd83.org; Jordan Brooks <coolinsewer@gmail.com>; Kayleigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lacedewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Matt Diel <matt.diel@lposd.org>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Mike Schacht <firedept@clarkforkidaho.org>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <Huckbay2501@gmail.com>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EHapplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; sandpointairport@gmail.com; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone.legg@itd.idaho.gov; TC Energy / TransCanada <US_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <epfldchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; West Bonner Library <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>
Cc: Jacob Gabell <jake.gabell@bonnercountyid.gov>; Alexander Feyen <alexander.feyen@bonnercountyid.gov>; Jeannie Welter <jeannie.welter@bonnercountyid.gov>
Subject: Bonner County Planning - V0011-25 Agency Review - Variance - Lot Size Minimum

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

The above-named application has been submitted to the Bonner County Planning Department for processing.

Please review the application relative to your agency's area of expertise and include any recommended conditions of

approval and supporting code sections. Please see attached for details.

Thank you,

Janna Brown, Administrative Assistant III

Bonner County Planning Department

208-265-1458 ext - 1252



Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] RE: Bonner County Planning - V0011-25 Agency Review - Variance - Lot Size Minimum

1 message

Robert Beachler <Robert.Beachler@itd.idaho.gov>
To: Bonner County Planning <planning@bonnercountyid.gov>

Tue, May 27, 2025 at 10:26 AM

No Comment from the Idaho Transportation Department.

Robert Beachler

District 1 Planning Program Manager

Idaho Transportation Department

600 W. Prairie Ave

Coeur d'Alene, ID 83815

robert.beachler@itd.idaho.gov

(208) 772-1216

Office Hours M-TH 6-4:30

From: Bonner County Planning <planning@bonnercountyid.gov>

Sent: Friday, May 23, 2025 9:00 AM

To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Chace Bell <chace.bell@idwr.idaho.gov>; Chief Debbie Carpenter <chief@spiritleakefire.com>; City of Clark Fork <city@clarkforkidaho.org>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Oldtown <cityofoldtown@hotmail.com>; City of Priest River <layers@priestriver-id.gov>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spiritleakeid.gov; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Coolin-Cavanaugh Bay Fire Protection District <coolinfirechief@gmail.com>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; Dan Brown <dbrown@idl.idaho.gov>; Dan McCracken <Dan.McCracken@deq.idaho.gov>; Dan Scholz <dan.scholz@nli.coop>; Dean Davis <deandavis@sd83.org>; DEQ - Kristie McEnroe <kristie.mcenroe@deq.idaho.gov>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <Frankiejdunn@hotmail.com>; Fritz Broschet

<outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>; ID State Historical Society - Dan Everhart <dan.everhart@ishs.idaho.gov>; Idaho Department of Environmental Quality <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; Robert Beachler <Robert.Beachler@itd.idaho.gov>; Stacy Simkins <Stacy.Simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jamie Brown <jamieb@inlandpower.com>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <Jason.Kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; Joe Kren <joekren@sd83.org>; Jordan Brooks <coolinsewer@gmail.com>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lacledewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Matt Diel <matt.diel@lposd.org>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Mike Schacht <firedept@clarkforkidaho.org>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <Huckbay2501@gmail.com>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EHApplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; sandpointairport@gmail.com; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone Legg <Symone.Legg@itd.idaho.gov>; TC Energy / TransCanada <US_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <epfldchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; West Bonner Library <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>;
Cc: Jacob Gabell <jake.gabell@bonnercountyid.gov>; Alexander Feyen <alexander.feyen@bonnercountyid.gov>; Jeannie Welter <jeannie.welter@bonnercountyid.gov>

Subject: Bonner County Planning - V0011-25 Agency Review - Variance - Lot Size Minimum

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

The above-named application has been submitted to the Bonner County Planning Department for processing.

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections. Please see attached for details.

Thank you,

Janna Brown, Administrative Assistant III

Bonner County Planning Department

208-265-1458 ext - 1252



Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] RE: Bonner County Planning - V0011-25 Agency Review - Variance - Lot Size Minimum

1 message

Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>
 To: Bonner County Planning <planning@bonnercountyid.gov>
 Cc: Symone Legg <Symone.Legg@itd.idaho.gov>

Fri, May 23, 2025 at 9:08 AM

ITD has no comment.

Have a nice day!

**Kimberly Hobson***Project Coordinator**Innovation Steward***District 1****Work:** 208.772.8079**Email:** kimberly.hobson@itd.idaho.gov**Website:** itd.idaho.gov**Work schedule:** M-W-Th-F 6AM- 4:30 PM

From: Bonner County Planning <planning@bonnercountyid.gov>

Sent: Friday, May 23, 2025 9:00 AM

To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Chace Bell <chace.bell@idwr.idaho.gov>; Chief Debbie Carpenter <chief@spiritleakefire.com>; City of Clark Fork <city@clarkforkidaho.org>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Oldtown <cityofoldtown@hotmail.com>; City of Priest River <layers@priestriver-id.gov>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spiritleakeid.gov; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Coolin-Cavanaugh Bay Fire Protection District <coolinfirechief@gmail.com>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; Dan Brown <dbrown@idl.idaho.gov>; Dan McCracken <Dan.McCracken@deq.idaho.gov>;

Dan Scholz <dan.scholz@nli.coop>; Dean Davis <deandavis@sd83.org>; DEQ - Kristie McEnroe <kristie.mcenroe@deq.idaho.gov>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <Frankiejduhn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>; ID State Historical Society - Dan Everhart <dan.everhart@ishs.idaho.gov>; Idaho Department of Environmental Quality <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; Robert Beachler <Robert.Beachler@itd.idaho.gov>; Stacy Simkins <Stacy.Simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jamie Brown <jamiieb@inlandpower.com>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <Jason.Kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; Joe Kren <joekren@sd83.org>; Jordan Brooks <coolinsewer@gmail.com>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lacedewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Matt Diel <matt.diel@lposd.org>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Mike Schacht <firedept@clarkforkidaho.org>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <Huckbay2501@gmail.com>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EApplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; sandpointairport@gmail.com; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone Legg <Symone.Legg@itd.idaho.gov>; TC Energy / TransCanada <US_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <eplfdchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; West Bonner Library <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>
Cc: Jacob Gabell <jake.gabell@bonnercountyid.gov>; Alexander Feyen <alexander.feyen@bonnercountyid.gov>; Jeannie Welter <jeannie.welter@bonnercountyid.gov>
Subject: Bonner County Planning - V0011-25 Agency Review - Variance - Lot Size Minimum

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The above-named application has been submitted to the Bonner County Planning Department for processing.

Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections. Please see attached for details.

Thank you,

Janna Brown, Administrative Assistant III

Bonner County Planning Department

5/28/25, 1:07 PM

Bonner County Mail - [EXT SENDER] RE: Bonner County Planning - V0011-25 Agency Review - Variance - Lot Size Minimum

208-265-1458 ext - 1252

Appendix C – Land Use Decision-Making Worksheet



Bonner County Planning Department

"Protecting property rights and enhancing property value"

1500 Highway 2, Suite 208, Sandpoint, Idaho 83864

Phone (208) 265-1458 - Fax (208) 265-1463

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

LAND USE DECISION-MAKING WORKSHEET VARIANCE

Idaho Code §67-6535 (2): The approval or denial of any application required or authorized pursuant to this chapter shall be in writing and accompanied by a reasoned statement that explains the criteria and standards considered relevant, states the relevant contested facts relied upon, and explains the rationale for the decision based on the applicable provisions of the comprehensive plan, relevant ordinance and statutory provisions, pertinent constitutional principles and factual information contained in the record.

STANDARDS FOR VARIANCE REVIEW:

Prior to approving a variance, the governing body shall review the particular facts and circumstances of each proposed conditional use permit in terms of the following standards and shall find adequate evidence showing that such use at the proposed location.

Idaho Code §67-6516		Each governing board shall provide, as part of the zoning ordinance, for the processing of applications for variance permits. A variance is a modification of the bulk and placement requirements of the ordinance as to lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, height of buildings, or other ordinance provision affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots. 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.
YES	NO	List the relevant evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
BCRC 12-232		GENERAL PROVISIONS
YES	NO	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.

BCRC 12-233		APPLICATION, CONTENTS
YES	NO	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
BCRC 12-234 (A)		VARIANCES, STANDARDS FOR REVIEW OF APPLICATIONS
		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.
YES	NO	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
BCRC 12-234 (B)		Special conditions and circumstances do not result from the actions of the applicant.
YES	NO	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
BCRC 12-234 (C)		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.

YES	NO	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
BCRC 12-622		SUBMERGERED LANDS
YES	NO	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
BCRC 12-7.2		GRADING, STORMWATER MANAGEMENT AND EROSION CONTROL
YES	NO	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
		Other arguments raised during the hearing