



JAMES A. SEWELL & ASSOCIATES, LLC

600-4th Street West
Newport, Washington 99156
(509) 447-3626 (208) 437-2641

• Civil Engineering • Land Surveying • Building Inspection • Land Use Planning

February 25, 2026

Bonner County Commissioners
1500 Hwy 2, Suite 308
Sandpoint, ID 83864

Re: V0031-25 Variance Decision Appeal

Dear Bonner County Board of Commissioners:

This letter serves as Tim Ventress's appeal of the decision by the Bonner County Planning and Zoning Commission issued on January 28, 2026, that was a result of the hearing on January 8, 2026. A copy of the decision is attached hereto as Exhibit A. This appeal is being made based on an inadequate presentation of the project issues at the January 8th hearing.

Appellant:

The appellant is Tim Ventress who owns the property identified as Bonner County Parcel No. RP003980010070A.

Statement of Facts:

1. The original legal nonconforming structure was constructed in 1960 before the appellant purchased the property.
2. The appellant modified the structure without a building location permit and resulting in a more nonconforming structure.
3. The site was surveyed by James A. Sewell & Associates, LLC on December 2021 and defined the property line locations. A copy has been attached.

James A. Sewell & Associates, LLC
Newport Office - 600-4th Street West, Newport, WA 99156 (509)447-3626 (208)437-2641
Sandpoint Office – 1319 North Division Avenue, Sandpoint, ID 83864 (208)263-4160
Spokane Office – 400 South Jefferson Avenue, Suite 452, Spokane, WA 99204 (509)747-5794

4. The original structure resides approximately 5 feet away from the property boundary as measured from the existing building corner and approximately 2 feet from the newly constructed eave to the property boundary. See attached Exhibit.
5. Following communication with the County, the Building Location Permit process will be submitted to Bonner County Planning prior to the appointed hearing date.

Statement of Errors:

1. Clear and concise mapping and presentation of the issue was not made at the initial hearing.
2. The appellant acknowledges that the addition made the legal nonconforming structure more nonconforming. But would be able to remove/modify the eave to match the original structures setback on Creekside Drive. Pictures of the addition are attached.
3. The appellant acknowledges that the addition was made without completing the Building Location Permit process, but will have it completed by the appointed hearing date.

Relief Requested:

1. Reverse the decision
2. Determine that the corrections requested were completed and satisfy Code Violation ZV0005-24.
3. Determine there is no material injury to the public.
4. Determine that there is no public health, safety, or welfare concern resulting from the Ventress property.

Sincerely,

JAMES A. SEWELL & ASSOCIATES, LLC

By 
Jesse Bailey, Survey Project Manager

pc: File

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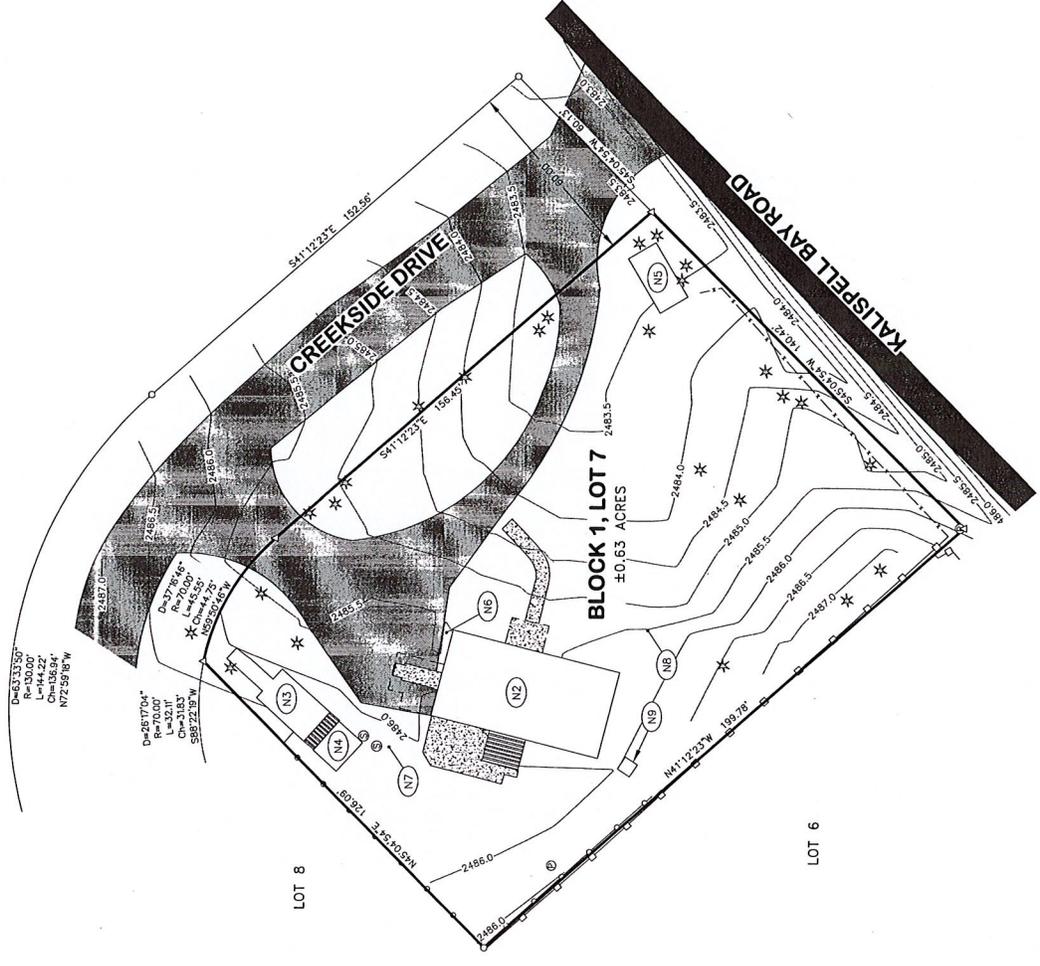
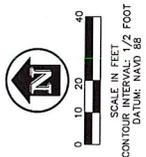
EXHIBIT A

VENTRESS AS-BUILT SITE PLAN

BLOCK 1, LOT 7 - SCHNEIDERS SUBDIVISION
 SECTION 12, TOWNSHIP 60 NORTH, RANGE 5 WEST, BOISE MERIDIAN
 BONNER COUNTY, IDAHO

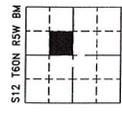
NOTES FOR THIS DETAIL

- (N1) FOUND SURVEY MONUMENT - IRON ROD WITH 2.5" ALUMINUM CAP
- (N2) STICK BUILT HOME WITH BASEMENT
- (N3) 2ND STORY SHED ON PIERS WITH STORAGE BENEATH
- (N4) SHED, STICK BUILT
- (N5) LEAN-TO BUILDING: POST AND METAL
- (N6) PROPAANE TANK
- (N7) SEPTIC CLEANOUT
- (N8) YARD HYDRANT
- (N9) ELECTRIC VAULT



- FOUND SURVEY MONUMENT WITH 1.5" ALUMINUM CAP
- △ COMPUTED POINT (NOTHING FOUND OR SET)
- ⊙ POWER POLE
- ⊙ SEPTIC LID
- * CONIFEROUS TREE
- DRIVEWAY: DIRT/GRAVEL
- PAVEMENT
- CONCRETE
- WOOD DECKING
- 4" TALL CHAINLINK FENCE
- 6" TALL CHAINLINK FENCE WITH SLATS
- 5" TALL WOOD POST & WIRE FENCE
- BUILDING LEAVE LINE (ATTACHED COVERED AREA)

4.1 EXISTING SITE PLAN
 SCALE: 1" = 20'



DATE	BY	REVISION

James A. Sewell and Associates, LLC
 CONSULTING ENGINEERS
 NEWPORT, WASHINGTON 99156
 (509) 447-3626



AS-BUILT SITE PLAN
 PROJECT: TLM VENTRESS
 527 CREEKSIDE DRIVE
 PREEST LAKE, IDAHO

DATE: 12/15/22
 SCALE: AS SHOWN
 DRAWN BY: MAM
 CHECKED BY: REE
 CDD FILE: VENTRESS-UPC
 PROJ. #: 2207-21-00

SHEET 1 OF 1

EXHIBIT B

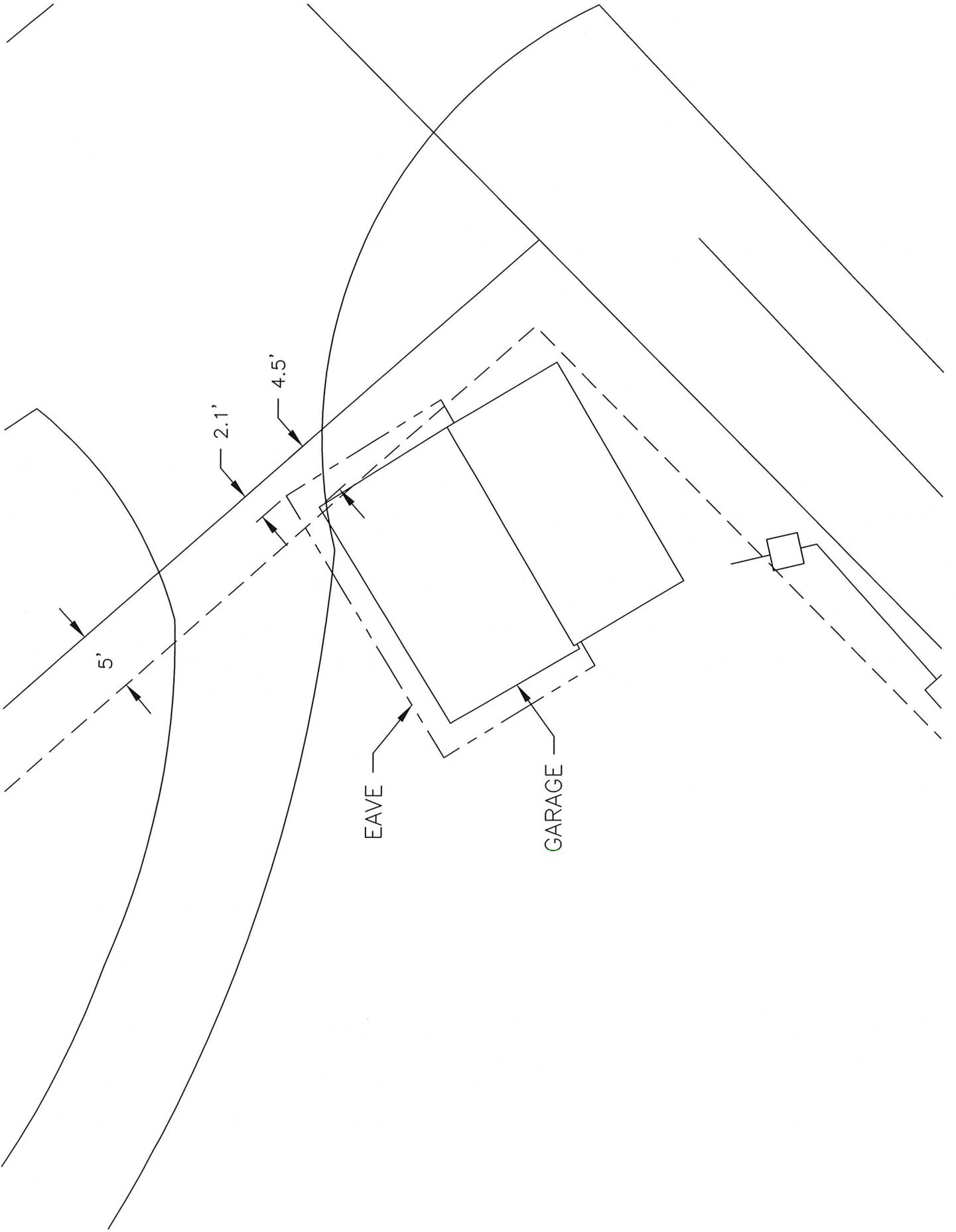


EXHIBIT C



EXHIBIT D



Bonner County Planning Department

"Protecting property rights and enhancing property value"

1500 Highway 2, Suite 208, Sandpoint, Idaho 83864

Phone (208) 265-1458 - Fax (866) 537-4935

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

January 28, 2026

Tim Ventress
527 Creekside Drive
Priest Lake, ID 83856

Subj: File V0031-25 – Variance – Street Setback

Appendices: (A) File V0031-25 Staff Report
(B) Land Use Decision-Making Worksheet

Dear Tim,

The Bonner County Zoning Commission, at the January 8, 2026 hearing, denied the referenced application.

Commissioner Mauk moved to deny this project V0031-25 based upon the following conclusions:

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** 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. Commissioner Mauk further moved to adopt the reasoned statement as discussed in deliberation at this hearing and the analysis as set forth in the Staff Report (or as amended during this hearing) and direct planning staff to draft the reasoned statement to reflect this motion as set forth in Idaho Code section 67-6535, have the Chair sign, and transmit to all interested parties. This action does not result in a taking of private property. The action that could be taken, if any, to obtain the variance is to:

1. File a new application with the Planning Department and meet the standards required by Bonner County Revised Code; or
2. Appeal the decision to the County Commissioners.

Commissioner Johnson seconded the motion.

Commissioner Johnson: AYE
Commissioner Poulsen: AYE
Commissioner Blaser: Abstain
Commissioner Mauk: AYE
Commissioner Pound: AYE

Voted upon and the Chair declared the Motion passed, 4 in favor, 1 abstained.

Bonner County Revised Code, Section 12-262, provides an opportunity for affected persons to appeal Zoning Commission decisions with the Planning Director within 28 days after the final written decision of the Zoning Commission has been issued. Any such appeal must be submitted in accordance with the referenced code section no later than **5:00 p.m., February 25, 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,



Commissioner Jeff Poulsen
Chair, Bonner County Zoning Commission

Appendix A – V0031-25 Staff Report



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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.
No public comments were received indicating that this project is in conflict with the public interest, however a comment from the Road & Bridge Department was received indicating it may cause issues with road maintenance or plowing. The Zoning Commission agreed that the hardship comes from the result of needing to remove the legal nonconforming structure.		
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.

The Zoning Commission agreed that the project met this requirement and adopted the analysis found in the Staff Report.			
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.	
The Zoning Commission agreed that the project met this requirement and adopted the analysis found in the Staff Report.			
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.	
The Zoning Commission states that surrounding properties are only subject to a property line setback of 5' where the subject property has two 25' street setbacks.			
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.	
The Zoning Commission agreed that this project results from the actions of the applicant because the applicant constructed an addition to the legal nonconforming structure without a Building Location Permit. Had the applicant applied for a Building Location Permit prior to construction, the nonconforming nature of the structure would have been identified.			
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.
The Zoning Commission agreed that this project is not in conflict with the public interest due to comments received from Northern Lights stating that the project would not affect their utilities or right-of-way.		
BCRC 12- GRADING, STORMWATER MANAGEMENT AND EROSION CONTROL 7.2		
YES	NO	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
The Zoning Commission agreed that the project met this standard and adopted the analysis found in the staff report.		