



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@bonnercountivid.gov - Web site: www.bonnercountivid.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 variance in terms of the following standards and shall find adequate evidence showing that such use at the proposed location.

<i>Idaho Code §67-6516</i>	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	List the relevant evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.

The lot is encumbered by slopes and adopt the staff report as written.

<i>BCRC 12-232</i>	GENERAL PROVISIONS
YES	List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.



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February 13, 2026

Cozy Cottage
Denis McArthur
PO Box 411
Sagle, ID 83860

Subj: File V0034-25 – Variance – Cozy Cottage

Encl: (1) V0034-25 Zoning Commission variance reasoning worksheet

Dear Landowner,

The Bonner County Planning and Zoning Commission at the January 22, 2026, public hearing approved the referenced application. The ordinance and standards used in evaluating the application and the reasons for approval of the application are as follows:

DECISION TO APPROVE: Commissioner Mauk moved to approve this request FILE V0034-25, for a street setback of 10 feet where 25 feet is required finding that it is in accord with Bonner County Revised Code as enumerated in 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 **did 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 this hearing. I further move 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 67-6536, have the Chair sign, and transmit to all interested parties. This action does not result in a taking of private property.

- 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 Mauk- Yay
Commissioner Pound- Yay
Commissioner Johnson- Yay

Vote 3-0

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., MARCH 13, 2026. 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,



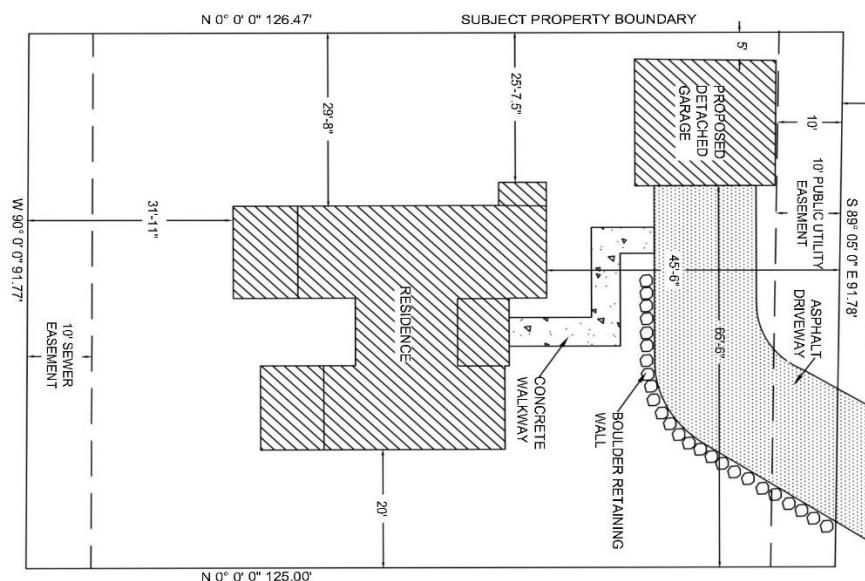
Jim Pound, Acting Chair
Zoning Commission

The lot is encumbered by slopes and adopt the staff report as written.

BCRC 12-233		APPLICATION, CONTENTS
YES		List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
<i>The application appears to be complete as submitted.</i>		
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		List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
<i>This lot is encumbered by slopes and adopted the staff report as written.</i>		
BCRC 12-234 (B)		Special conditions and circumstances do not result from the actions of the applicant.
YES		List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
<i>There is no evidence in the record that the applicant created and conditions or circumstances in regard to building the garage.</i>		
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		List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.

This was pointed out in the staff report and Bonner County Road & Bridge Department comment that the garage will be protected.

BCRC 12-7.2		GRADING, STORMWATER MANAGEMENT AND EROSION CONTROL
YES		List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
<i>A stormwater plan was submitted and adopted the staff report as written.</i>		



SCALE FOR 2' X 4' DRAWING SHEET

2'