

**BONNER COUNTY PLANNING DEPARTMENT
BOARD OF COUNTY COMMISSIONERS
STAFF REPORT FOR SEPTEMBER 3, 2026**



Project Name: **Smith – Street Setback**

File Number, Type: **FILE #V0036-25 - Appeal**

Request: The applicant is requesting an 8’ street setback where 25’ is required for the construction of an accessory building.

Legal Description: 3-59N-4W SKYLSTAD ESTATES LOT 2 CPWRS

Location: The project site is located off Sherwood Beach Road in Section 3, Township 59 North, Range 4 West, Boise-Meridian.

Parcel Number: RP052240000020A

Parcel Size: 0.172-acres

Applicant/Property Owner: James & Mary Smith
[REDACTED]

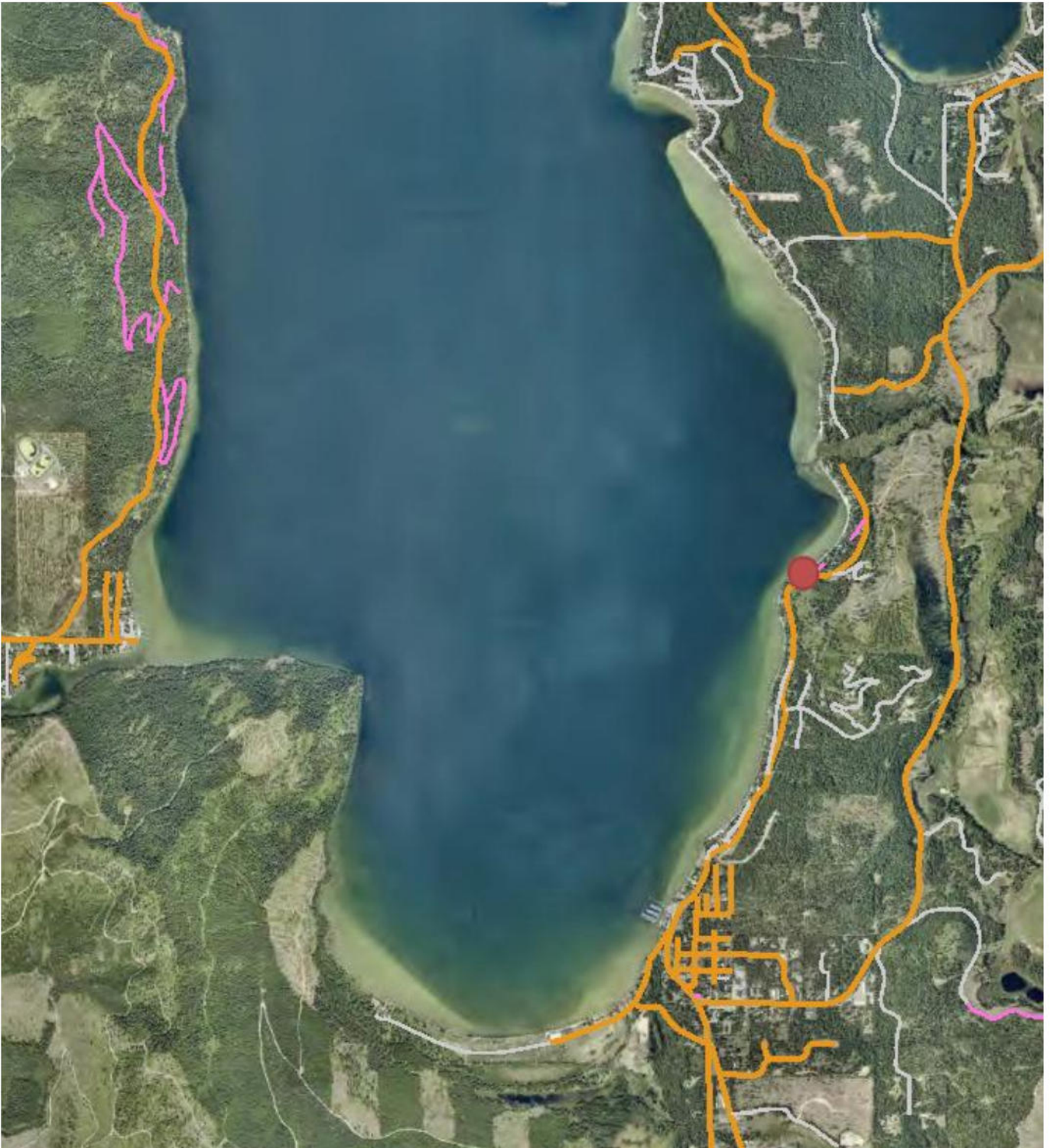
Project Rep Jeff Jensen
James A. Sewell and Associates, LLC

Application filed: October 20, 2025

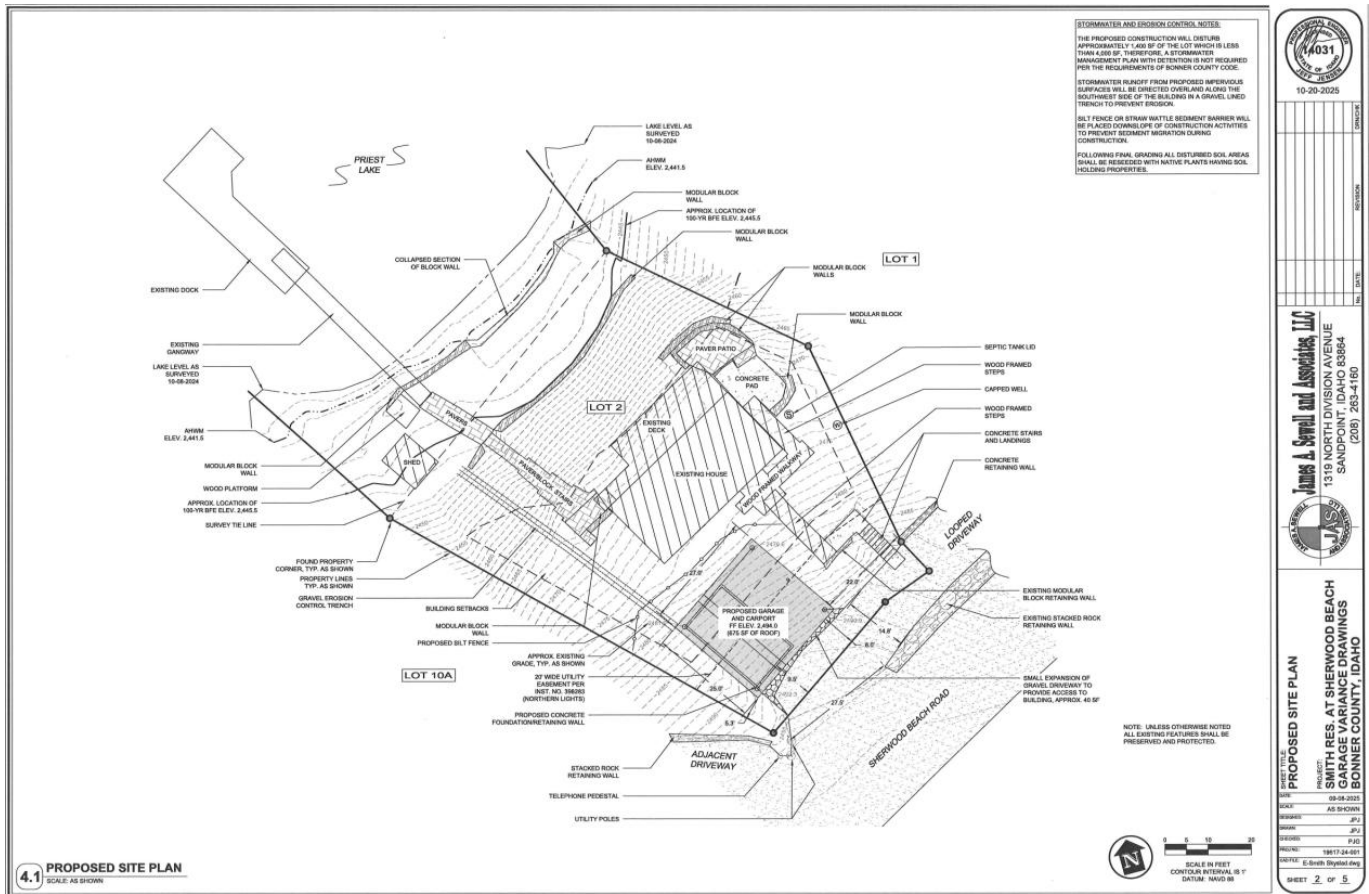
Notice provided: Mail: July 28, 2026
Site Posting: July 28, 2026
Published in newspaper: July 28, 2026

Appendices: Appendix A – Notice of Public Hearing Record of Mailing
Appendix B – Agency Comments
Appendix C – V0036-25 Zoning Commission Decision Letter
Appendix D – Appeal Letter

Vicinity Map



Site Plan



Project summary:

The applicant is requesting an 8' street setback where 25 feet is required for the construction of an accessory building. The 0.172-acre property is zoned Recreation (Rec). The project site is located off Sherwood Beach Road in Section 3, Township 59 North, Range 04 West, Boise-Meridian. The project site is within the service areas of Coolin Cavanaugh Bay Fire District, Coolin Sewer, and West Bonner School District #83.

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 for review of applications
- BCRC 12-262, Appeals from Final Decision of Commission/Hearing Examiner
- BCRC 12-412, Density and Dimensional Standards; Suburban, Commercial, Industrial, Rural Service Center, Recreation and Alpine Village Zones
- BCRC 12-7.2, et seq., Grading/erosion/stormwater management
- BCRC 12-800 et seq., Definitions

Background:

A. Site data:

Land Use: Residential
Platted: Skylstad Estates, Lot 2
Size: 0.172-acres
Zoning Designation: Recreation (Rec)
Comp Plan Designation: Resort Community (0-2.5 AC)

B. Access:

Sherwood Beach Road, a Bonner County owned and maintained public right-of-way.

C. Environmental factors:

Site does contain mapped slopes. (USGS)
Site does not contain mapped wetlands. (USFWS)
Site does contain frontage on Priest Lake.
Parcel is within SFHA Zone AE and Zone X per FIRM Panel Number 16017C0430F, Effective Date 7/7/2014.

D. Comprehensive Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Land Use & Density
Site	Resort Community (0-2.5 AC)	Recreation	Residential, 0.172-acres
North	Priest Lake	N/A	N/A
East	Resort Community (0-2.5 AC)	Recreation	Residential, 0.184-acres
South	Resort Community (0-2.5 AC)	Recreation	Recreation, 0.468-acres
West	Resort Community (0-2.5 AC)	Recreation	Residential, 0.336-acres

E. BCRC 12-232, General Provisions

In accordance with BCRC 12-232, the applicant is seeking a 68% variance to street setbacks.

F. 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 February 26, 2026.

G. BCRC 12-234, Variances, 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: "There is no dedicated off-street parking location for the property and the lot has a very steep slope down from the existing road that does not accommodate the construction of a driveway. The applicant is proposing to construct a small garage and carport that will allow for off-street parking. There is no other location for the garage on the lot because the lot is small, the slope is steep, and there is already an existing house on the lot."

Staff: The subject property does contain mapped slopes, per GIS LiDAR data, primarily above 30%. This can create significant challenges when developing the lot. The subject property does not contain any mapped wetlands but does have frontage on Priest Lake. Many of the lots in the vicinity are similar in shape and size and appear to face similar challenges when looking to further develop the lots.

There is no evidence that the landowner has changed the lots size, shape or topography of the lot since obtaining it.

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

Applicant: "The applicant purchased the property in 2023 and the lot size and house were existing at the time. The actions of the applicant have not cause the special circumstances associated with the lot."

Staff: Per Warranty Deed, Instrument #1027242, the current owner acquired the subject property in November of 2023. Based on Assessor data for the property, the existing dwelling was built in 1992. The original lot was created as part of the Plat of Camp Sherwood in 1960, with a lot line adjustment completed in 2021. The lot line adjustment in 2021 shifted the eastern lot line and did not cause any circumstances that would require this variance.

With this information in mind, there does not appear to be any special conditions or circumstances that result from the actions of the applicant.

(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: "The variance is for a detached garage that will provide off-street parking for the landowner and reduce the parking load on the existing shared driveway and street. There are similar configurations at adjacent lots due to the natural slopes of the terrain. The property to the northeast also appears to have a reduced setback to the front of the house due to the steep slope. The property that is two houses to the southwest has an elevated parking structure/driveway. There will be no safety hazards to the public."

Staff: Bonner County Road & Bridge department submitted a comment in opposition to the proposed street setback variance. **(Full comment can be found in Appendix B).** Coolin Sewer District also submitted a comment expressing concerns with the accessibility of the main sewer line that runs down Sherwood Beach Road, should this

structure be allowed to encroach upon the easement for the mainline. **(Full comment in Appendix B).**

Northern Lights, Inc. submitted a comment stating their opposition due to the proximity of the proposed structure to their powerline easement. **(Full comment in Appendix B).**

No other comments from the public or any public agency or taxing district were received that stated that the proposed project would be detrimental to the public health, safety, or welfare or be materially injurious to the surrounding properties or improvements within the vicinity of this project.

H. BCRC 12-262 Appeals from Final Decision of Commission/Hearing Examiner

A. Presentation Of Appeal: Any "affected person", as defined by Idaho Code title 67, chapter 65, may appeal to the Board any final decision by the Zoning Commission/hearing examiner.

Staff: The appeal was filed by the applicant of this project.

B. Filing Time Limit; Fee: Any affected person may file an appeal of the final decision of the Zoning Commission/hearing examiner with the Planning Director within twenty eight (28) days after the final written decision of the Zoning Commission/hearing examiner has been issued. The appellant shall pay the fee required by this title upon filing the appeal. An appeal shall not be considered to be filed until such fee has been paid. Failure to file the appeal within the time limits shall cause automatic dismissal of the appeal.

Staff: The written decision for this file was sent to the applicant on June 12, 2026. The appeal letter and fees were received on July 7, 2026. The appeal was submitted, and fees paid, within the 28-day appeal period.

C. Notice Of Appeal Contents: The notice of appeal shall be detailed in writing and shall provide the grounds for the appeal. The grounds for appeal shall be that the decision of the commission or hearing examiner was at a minimum one of the following:

1. In violation of constitutional or statutory provisions;
2. In excess of the statutory authority of the commission or hearing examiner;
3. Made upon unlawful procedure;
4. Arbitrary, capricious or an abuse of discretion; or
5. Not supported by substantial evidence on the record as a whole.

Staff: Per the appeal letter, this appeal is being made based on the grounds that the decision was in excess of the statutory authority of the commission or hearing examiner, arbitrary, capricious or an abuse of discretion, and not supported by substantial evidence on the record as a whole.

D. Procedures For Consideration Of Appeal:

1. Within sixty (60) days of the receipt of the appeal, the Board shall conduct a public hearing. The hearing shall be conducted in the same manner using the same standards, as if the Board had original jurisdiction to hear the application.

Staff: Based on the receipt of the appeal, July 7, 2026, the Board shall conduct a public hearing for this appeal no later than September 5, 2026. This file is currently scheduled to be heard by the BOCC on September 3, 2026.

2. Upon consideration, the Board may affirm, reverse, or modify the decision of the Zoning Commission/hearing examiner, after compliance with applicable procedural standards.

3. The decision of the Board shall be final, and any further recourse shall be as provided by law.

I. BCRC 12-412, Density and Dimensional Standards; Suburban, Commercial, Industrial, Rural Service Center, Recreation and Alpine Village Zones

Per BCRC 12-412 Table 4-2, the street setback in the Recreation zone is 25'. This request is proposing a deviation from this standard to allow for a 8' setback.

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

Stormwater Management concerns will be addressed during the Building Location Permit phase in accordance with BCRC 12-720. No further review is required for this project.

K. Agency Review

Agencies were notified of this project on April 7, 2026, for the first hearing and July 28, 2026, for the appeal hearing. A full list of the agencies notified can be found in the attached Appendix A.

The following agencies commented:

Coolin Sewer District (4/16/2026)
Bonner County Road & Bridge (4/14/2026)
Northern Lights, Inc. (7/28/2026)
Bonner County Historical Society (8/19/2026)

The following agencies replied "No Comment":

TC Energy (4/29/2026, 8/18/2026)
Panhandle Health District (4/15/2026, 7/29/2026)
Kootenai-Ponderay Sewer District (4/9/2026, 7/28/26)
Idaho Transportation Department (4/13/2026, 7/29/2026)
Idaho Department of Fish and Game (5/5/2026, 8/19/2026)
Idaho Department of Water Resources (4/13/2026, 7/29/2026)
Idaho Department of Environmental Quality (4/9/2026, 8/14/2026)
Bonneville Power Administration (4/13/2026)

All other agencies did not reply.

Public Notice & Comments

At the time this Staff Report was prepared, no public comments were received.

Planner's Initials: KS **Date:** 8/27/2026

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.

Zoning Commission Decision: Deny

Date: June 12, 2026

Vote: 2-1

Motions by the Board of County Commissioners

MOTION TO AFFIRM DECISION: I move to affirm the Zoning Commission's decision, and deny this project, File V0036-25, based upon the following conclusions of law:

Conclusion 1

Conditions apply to the property that **do/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/do not** result from the actions of the applicant.

Conclusion 3

The granting of the variance **is/is not** in conflict with the public interest in that it **will/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 67-6535, 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) Pursue such remedies as may be applicable at Title 67, Chapter 65, Idaho Code.

MOTION TO REVERSE DECISION: I move to reverse the Zoning Commission's decision and approve this project File V0036-25, 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/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/do not** result from the actions of the applicant.

Conclusion 3

The granting of the variance **is/is not** in conflict with the public interest in that it **will/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)

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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

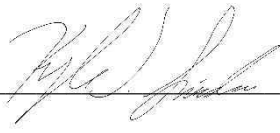
RECORD OF MAILING

Page 1 of 1

File Number: File V0036-25

Record of Mailing Approved By: _____

Hearing Date: 9.3.26



I hereby certify that a true and correct copy of the "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **28th** day of **July 2026**.



Jeannie Welter, Systems Technician

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

Idaho Department of Environmental Quality (DEQ) - Email

Idaho Department of Lands - CDA - U.S. Mail

Idaho Department of Lands - Navigable Waters & Mining - Email

Idaho Department of Water Resources - IDWR - Email

Idaho 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

Lake 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 Department of Fish & Game - Email

Idaho Department of Lands - Coolin - Email

Idaho Department of Lands - Sandpoint - Email

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

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

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

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

Maya Johnson

From: Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>
Sent: Wednesday, August 19, 2026 4:03 PM
To: Planning
Subject: RE: Appeal - Request for Agency Review & Comment – Due by August 20, 2026 – File V0036-25 – Bonner County Planning

Follow Up Flag: Follow up
Flag Status: Flagged

The Idaho Department of Fish and Game does not have any comments to submit for this application.

Thank you for the opportunity to review and comment,

Merritt Horsmon

Regional Technical Assistance Manager
Panhandle Region
2885 W. Kathleen Ave.
Coeur d'Alene, ID 83815
208.769.1414 office
208.251.4509 mobile
merritt.horsmon@idfg.idaho.gov



From: Planning <Planning@bonnercountyid.gov>
Sent: Tuesday, July 28, 2026 1:42 PM
Cc: Maya Johnson <Maya.Johnson@bonnercountyid.gov>; Janna Brown <janna.brown@bonnercountyid.gov>; Jeannie Welter <jeannie.welter@bonnercountyid.gov>; Kyle Snider <kyle.snider@bonnercountyid.gov>; cristydoc@yahoo.com; jjensen@jasewell.com
Subject: Appeal - Request for Agency Review & Comment – Due by August 20, 2026 – File V0036-25 – Bonner County Planning

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.

You are invited to comment on this application, your comments must be received by the Bonner County Planning Department by 5 p.m. **August 20, 2026.**

[EXT SENDER] RE: Appeal - Request for Agency Review & Comment – Due by August 20, 2026 – File V0036-25 – Bonner County Planning

From planning@bonnercountyid.gov <planning@bonnercountyid.gov>
on behalf of
Robert Beachler <Robert.Beachler@itd.idaho.gov>
Date Wed 7/29/2026 10:07 AM
To Planning <Planning@bonnercountyid.gov>

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: Planning <Planning@bonnercountyid.gov>
Sent: Tuesday, July 28, 2026 1:42 PM
Cc: Maya Johnson <Maya.Johnson@bonnercountyid.gov>; Janna Brown <janna.brown@bonnercountyid.gov>; Jeannie Welter <jeannie.welter@bonnercountyid.gov>; Kyle Snider <kyle.snider@bonnercountyid.gov>; cristydoc@yahoo.com; jjensen@jasewell.com
Subject: Appeal - Request for Agency Review & Comment – Due by August 20, 2026 – File V0036-25 – Bonner County Planning

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To review this application, go to the Planning Department web site at www.bonnercountyid.gov/departments/Planning/current-projects.

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.

Have a wonderful day!

Re: Appeal - Request for Agency Review & Comment – Due by August 20, 2026 – File V0036-25 – Bonner County Planning

From 'Sam Ross' via Mail-Planning <planning@bonnercountyid.gov>

Date Tue 7/28/2026 3:55 PM

To Planning <Planning@bonnercountyid.gov>

Cc Maya Johnson <Maya.Johnson@bonnercountyid.gov>; Janna Brown <janna.brown@bonnercountyid.gov>; Jeannie Welter <jeannie.welter@bonnercountyid.gov>; Kyle Snider <kyle.snider@bonnercountyid.gov>; cristydoc@yahoo.com <cristydoc@yahoo.com>; jjensen@jasewell.com <jjensen@jasewell.com>; Dan Scholz <Dan.Scholz@nli.coop>; Kristin Burge <kristin.burge@nli.coop>; Aaron McNall <Aaron.McNall@nli.coop>

1 attachment (156 KB)

398283-1.pdf;

Good afternoon,

NLI has reviewed the project file # V0036-25, a street setback variance for a new accessory structure. The applicants are proposing a new garage and carport with a setback of 8-ft where 25ft is required.

The site plan references an NLI right of way easement, instrument # 398283, recorded Nov. 22, 1991. This 20-ft right of way prohibits the construction of buildings, structures or other obstructions within a lateral distance of 20-ft from the centerline of the overhead line. The site plan shows the proposed structure approximately 17-ft from the primary transformer pole. This pole supports the lines feeding the applicant's house and neighboring houses. The location of the proposed structure appears to be under the existing overhead line running to the applicant's house, which is also a concern.

As the structure is not permitted in the 20-ft powerline right of way, NLI feels that the request does not comply with BCRC 12-234C and recommends that the variance be denied.

Thank you for the opportunity to review and comment.

Samuel Ross

Engineering Assistant II

[Northern Lights, INC.](#)

Email: Sam.ross@nli.coop

Office: 208.255.7183

Cell: 208.946.7787

NWPPA Certified Staking Technician

 <i>The power of local service</i> SINCE 1935 	ADDRESSES  HEADQUARTERS 421 Chevy St Sagle, ID 83860  MAILING ADDRESS PO Box 269 Sagle, ID 83860	PHONE NUMBERS  MAIN OFFICE (208) 263-5141  TOLL-FREE (800) 326-9594	REPORT AN OUTAGE  OUTAGE HOTLINE (866) 665-4837 CALL BEFORE YOU DIG  Know what's below. Call before you dig.
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From: Planning <Planning@bonnercountyid.gov>

Sent: Tuesday, July 28, 2026 1:41 PM

Cc: Maya Johnson <Maya.Johnson@bonnercountyid.gov>; Janna Brown <janna.brown@bonnercountyid.gov>; Jeannie Welter <jeannie.welter@bonnercountyid.gov>; Kyle Snider <kyle.snider@bonnercountyid.gov>; cristydoc@yahoo.com <cristydoc@yahoo.com>; jjensen@jasewell.com <jjensen@jasewell.com>

Subject: Appeal - Request for Agency Review & Comment – Due by August 20, 2026 – File V0036-25 – Bonner County Planning

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

398283

RIGHT-OF-WAY EASEMENT**NORTHERN LIGHTS, INC.**

P.O. BOX 310 • PHONE (208) 263-5141 • SANDPOINT, IDAHO 83864

KNOW ALL MEN BY THESE PRESENTS, that we the undersigned, (whether one or more) LANZCE G. DOUGLASSUNMARRIED (unmarried) (husband and wife) for a good and valuable consideration, the receipt whereof is hereby acknowledged, do hereby grant unto **NORTHERN LIGHTS, INC.**a cooperative corporation (hereinafter called the "Cooperative") whose post office address is **P.O. BOX 310, SANDPOINT****IDAHO, 83864****Bonner**

, and to its successors or assigns, the right to enter upon the lands of the undersigned,

Idaho

situated in the County of _____, State of _____, and more particularly described as follows:

(Enter complete legal description)

The South 20 feet of Lot 9, Camp Sherwood Addition in Section 3, Township 59 North, Range 4 West, Boise Meridian, being adjacent to the North edge of the County Road right of way. Together with a 120/240 volt overhead service wire from the transformer to the metering point on the house.

and to construct, operate and maintain an overhead or underground electric transmission and/or distribution line or system on or under the above described lands and/or in, upon or under all streets, roads or highways abutting said lands; to inspect and make such repairs, changes, alterations, improvements, removals from, substitutions and additions to its facilities as cooperative may from time to time deem advisable, including, by way of example and not by way of limitation, the right to increase or decrease the number of conduits, wires, cables, handholes, manholes, connection boxes, transformers and transformer enclosures; to cut, trim and control the growth by machinery or other means of trees and shrubbery located within 20 feet of the center line of said line or system, or that may interfere with or threaten to endanger the operation and maintenance of said line or system (including any control of the growth of other vegetation in the right-of-way which may incidentally and necessarily result from the means of control employed); to keep the easement clear of all buildings, structures or other obstructions within a lateral distance of 20 feet from center line of overhead line or 10 feet from center line of underground line; and the right to permit the installation of communication and other circuits on the poles of said electric transmission and distribution system.

The undersigned agree that all poles, wires and other facilities, including any main service entrance equipment, installed in, upon or under the above described lands at the Cooperative's expense shall remain the property of the Cooperative, removable at the option of the Cooperative.

The undersigned covenant that they are the owners of the above described lands and that the said lands are free and clear of encumbrances and liens of whatsoever character except those held by the following persons;

IN WITNESS WHEREOF, The Grantors have set their hands and seals this 2 day of OCTOBER, 1991.

X

Lance G. Douglass

STATE OF

COUNTY OF

Washington ssI, Joan M. Stuchel Notary Public in and for the State of Washingtonresiding at Spokane do hereby certify that on this 2 day ofOct., 1991, personally appeared before me

known to me to be the individual(s) described in and who executed the within instrument as his free act and deed for the uses and purposes herein mentioned.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 2nd day of October

Notary Public in and for the State of WashingtonResiding at SpokaneMy commission expires May 16, 1995

FILED BY SCOTT
31 NOV 22 AM 8 43
RECORDED BY SCOTT
DEP. OF BONNER

[EXT SENDER] APPEAL-FILE V0036-25-VARIANCE-STREET SETBACK + FILE V0018-26-VARIANCE-PROPERTY LINE SETBACK

From planning@bonnercountyid.gov <planning@bonnercountyid.gov>
on behalf of
Denis Twohig <dtwohig@phd1.idaho.gov>
Date Wed 7/29/2026 9:02 AM
To Planning <planning@bonnercountyid.gov>

 2 attachments (2 MB)

APPEAL-FILE V0036-25-VARIANCE-STREET SETBACK.pdf; FILE V0018-26-VARIANCE-PROPERTY LINE SETBACK.pdf;



Public Health
Prevent. Promote. Protect.
Panhandle Health District

Denis Twohig | Technical Records Specialist 1
2101 W Pine St. Sandpoint, ID 83864
P: 208.265.6384
E: ehapplications@phd1.idaho.gov
W: Panhandlehealthdistrict.org

IMPORTANT: The information contained in this email may be privileged, confidential or otherwise protected from disclosure. All persons are advised that they may face penalties under state and federal law for sharing this information with unauthorized individuals.

If you received this email in error, please reply to the sender that you received this information in error. Also, please delete this email after replying to the sender.

NOTICE OF PUBLIC HEARING



I hereby certify that a true and correct copy of this "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **28th** day of **July 2026**.

Jeannie L Welter

Jeannie Welter, Systems Technician

This notice was mailed to political subdivisions, property owners within 300 feet of the subject property, and the media on **Tuesday, July 28, 2026**.

NOTICE IS HEREBY GIVEN that the Bonner County Commissioners will hold a public hearing at **10:00 am** on **Thursday, September 3, 2026**, in the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, by Zoom teleconference, and YouTube Livestream to consider the following request:

Appeal - File V0036-25 - Variance - Street Setback: Request for an 8' street setback where 25' is required for the construction of an accessory building. The ≈0.172-acre property is zoned Recreation. The project site is located off Sherwood Beach Road in Section 3, Township 59 North, Range 04 West, Boise-Meridian. The Zoning Commission, at the public hearing on May 14, 2026, denied this file. An appeal was received by the Planning Department in a timely manner, requesting this file be considered by the Board of County Commissioners.

For details regarding this application, Zoom teleconference, or YouTube livestream, visit the Planning Department web site at www.bonnercountyd.gov/departments/Planning. Staff reports are available online or may be viewed at the planning department approximately a week before the scheduled hearing.

Written statements must be submitted to the planning department record no later than 5:00 p.m., August 20, 2026. Written statements not exceeding one standard letter sized, single spaced page may be submitted at the public hearing. Statements can be sent to the Bonner County Planning Department at 1500 Highway 2, Suite 208, Sandpoint, Idaho 83864; faxed to 866-537-4935 or e-mailed to planning@bonnercountyd.gov. The referenced start time stated above reflects the beginning of the hearing. Specific file start time and hearing duration vary.

During the hearing for this application, the public will be given an opportunity to provide testimony and/or evidence regarding how the proposal does or does not comply with the applicable approval criteria of the Bonner County Revised Code. At the close of the public hearing, the governing body will make a decision on the application that may include, but is not limited to, approval, denial, remand, or continuance of the public hearing. Any person needing special accommodations to participate in the public hearing should contact the Bonner County Planning Department at (208) 265-1458 at least 48 hours prior to the scheduled hearing.

If you have no comment or response, you may indicate below and return this form to the Planning Department.

NO COMMENT

Name

PHD, Am faw

Date

7/29/26

NOTICE OF PUBLIC HEARING



I hereby certify that a true and correct copy of this "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **28th** day of **July 2026**.

A handwritten signature in blue ink that reads "Jeannie L. Welter".

Jeannie Welter, Systems Technician

This notice was mailed to political subdivisions, property owners within 300 feet of the subject property, and the media on **Tuesday, July 28, 2026**.

NOTICE IS HEREBY GIVEN that the Bonner County Commissioners will hold a public hearing at **10:00 am** on **Thursday, September 3, 2026**, in the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, by Zoom teleconference, and YouTube Livestream to consider the following request:

Appeal - File V0036-25 - Variance - Street Setback: Request for an 8' street setback where 25' is required for the construction of an accessory building. The ≈ 0.172 -acre property is zoned Recreation. The project site is located off Sherwood Beach Road in Section 3, Township 59 North, Range 04 West, Boise-Meridian. The Zoning Commission, at the public hearing on May 14, 2026, denied this file. An appeal was received by the Planning Department in a timely manner, requesting this file be considered by the Board of County Commissioners.

For details regarding this application, Zoom teleconference, or YouTube livestream, visit the Planning Department web site at www.bonnercountyid.gov/departments/Planning. Staff reports are available online or may be viewed at the planning department approximately a week before the scheduled hearing.

Written statements must be submitted to the planning department record no later than 5:00 p.m., August 20, 2026. Written statements not exceeding one standard letter sized, single spaced page may be submitted at the public hearing. Statements can be sent to the Bonner County Planning Department at 1500 Highway 2, Suite 208, Sandpoint, Idaho 83864; faxed to 866-537-4935 or e-mailed to planning@bonnercountyid.gov. The referenced start time stated above reflects the beginning of the hearing. Specific file start time and hearing duration vary.

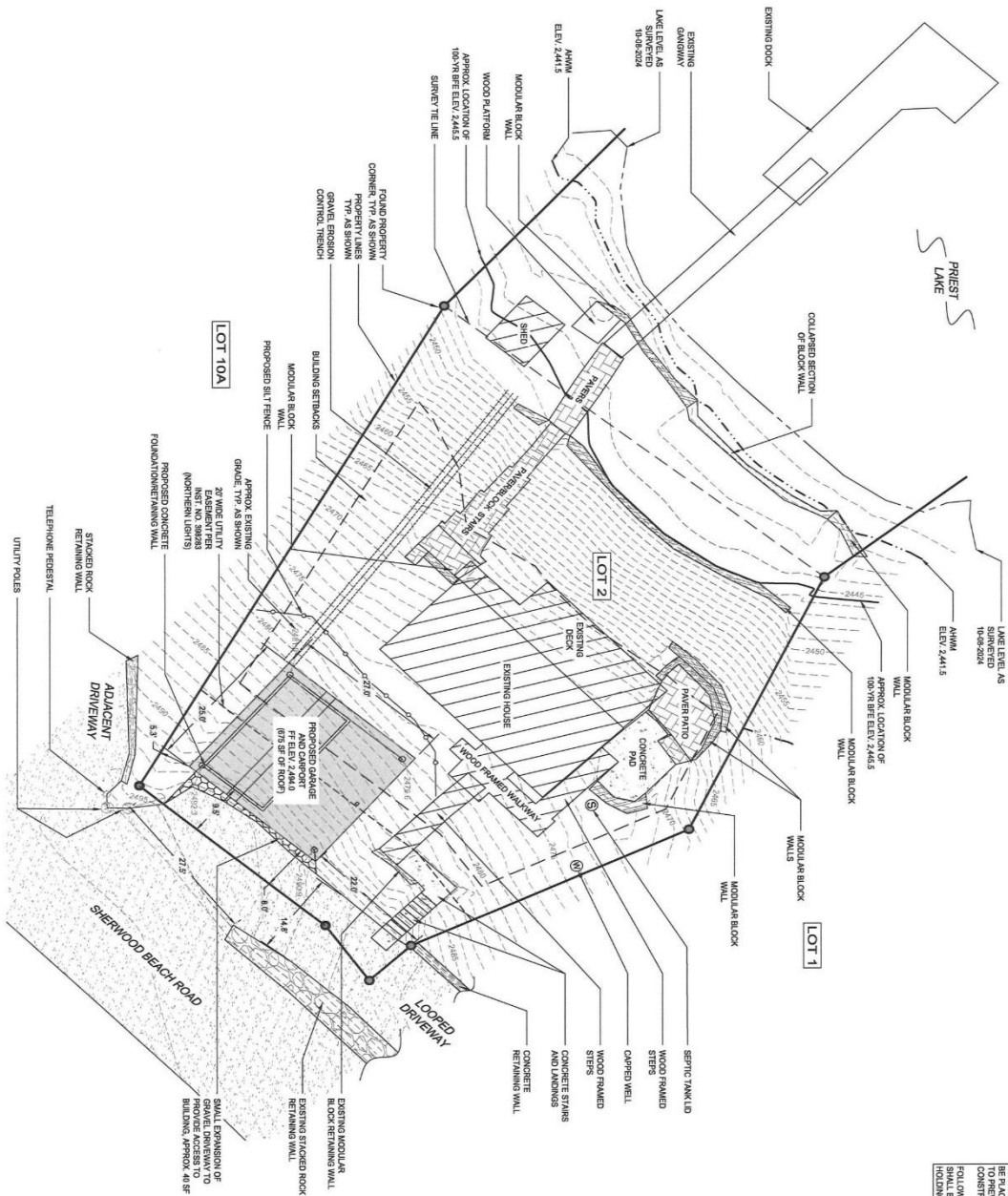
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If you have no comment or response, you may indicate below and return this form to the Planning Department.

NO COMMENT _____
Name

Date

4.1 SCALE: AS SHOWN



STORMWATER AND EROSION CONTROL NOTES:

THE PROPOSED CONSTRUCTION WILL DISTURB APPROXIMATELY 1,400 SF OF THE LOT WITH LESS THAN 40% THEREFORE A STORMWATER MANAGEMENT PLAN SHALL BE SUBMITTED AND OBTAINED PER THE REQUIREMENTS OF BROWER COUNTY CODE.

STORMWATER RUNOFF FROM DISTURBED AREAS/SURFACES WILL BE DIRECTED OFFSITE AND AROUND THE PERIMETER OF THE LOT AND IN A DOWNHILL DIRECTION TO PREVENT EROSION.

ALL FENCE OR IN-TOWN WAY/TE SLOPMENT BARRIERS WILL BE PLACED DOWNSTREAM OF CONSTRUCTION ACTIVITIES TO PREVENT EROSION AND MAINTAIN PROPER DRAINAGE CONSTRUCTION.

FOLLOWING THAT, GRADING, ALL DISTURBED SOIL AREAS SHALL BE RESEED WITH NATIVE PLANTS HAVING SOIL HOLDING PROPERTIES.

NOTE: UNLESS OTHERWISE NOTED
ALL EXISTING FEATURES SHALL BE
PRESERVED AND PROTECTED.



0 5 10 20

SCALE IN FEET
CONTOUR INTERVAL IS 1'
DATUM: NAVD 88

SHEET TITLE:
PROPOSED SITE PLAN

PROJECT:
SMITH RES. AT SHERWOOD BEACH
GARAGE VARIANCE DRAWINGS
BONNER COUNTY, IDAHO



James A. Sewell and Associates, LLC
1319 NORTH DIVISION AVENUE
SANDPOINT, IDAHO 83864
(208) 263-4160

No.	DATE:	REVISION	DRN/CHK



Digitally Signed by: Jeff Jensen, P.E.
Contact Info: jjensen@jasewell.com
Date: 10/20/2025 8:24:54 AM

Maya Johnson

From: Bonner County History Museum <hannah@bonnercountyhistory.org>
Sent: Tuesday, August 18, 2026 3:18 PM
To: Planning
Subject: Re: Appeal - Request for Agency Review & Comment – Due by August 20, 2026 – File V0036-25 – Bonner County Planning

Follow Up Flag: Follow up
Flag Status: Completed

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

Thank you,
Hannah Combs
Bonner County Historical Society

On Tue, Jul 28, 2026 at 1:41 PM Planning <Planning@bonnercountyid.gov> wrote:

You are invited to comment on this application, your comments must be received by the Bonner County Planning Department by 5 p.m. **August 20, 2026.**

To review this application, go to the Planning Department web site at www.bonnercountyid.gov/departments/Planning/current-projects.

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.

Have a wonderful day!

Jeannie Welter
**Bonner County Planning Department
Systems Technician
208-265-1458**

--
Hannah Combs
Executive Director



Janna Brown <janna.brown@bonnercountyid.gov>

Re: Notice of Public Hearing - Comments Due by April 30, 2026 - File V0036-25 - Bonner County Planning

1 message

Matt Mulder <matt.mulder@bonnercountyid.gov>

Tue, Apr 14, 2026 at 12:08 PM

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

The Bonner County Road & Bridge Department is opposed to the requested 8ft street setback variance from the edge of Sherwood Beach Rd right of way. The road is a County maintained road, and structures this close to the road create issues with our ability to maintain the road, plow snow, trim brush, etc. effectively without taking special care not to damage buildings. For example, snow, ice, and rocks can fly 30ft off of the blades of passing snow plows. When doing brushing projects, pulverizing stumps and brush with the attachment on our excavator can throw woody debris quite a distance, all of which can damage siding, windows, etc.

In cases with the proposed structures being on a downhill slope, the distances that debris can travel are potentially even greater, and the risk is increased for potential damage that the County could be held liable for. With that in mind, if approved, I recommend a condition of approval be damage resistant construction (ie concrete, no windows, etc) and a waiver of liability to Bonner County for any damage to the structure from roadway maintenance operations. If the applicant wanted to do a flat elevated concrete parking pad without walls, doors, roofs, etc that might be something that our department would support to improve the off-street parking situation.

Utilities need to be installed outside of the road prism and as near as practical to the edge of the public right of way according to the Bonner County Road Standards Manual Section 2.5E. This puts power lines and other utilities too close to the edge of the building or forces the utilities to be installed closer to the road to maintain a reasonable separation from the structures. Utilities being closer to the road impacts our ability to upgrade and improve the road in the future. According to the electric companies, they need a minimum of 10ft separation from structures, and this proposed location would make the outer 2ft of the public ROW unsuitable for utility installations if/when the need arises in the future if this 8ft setback were to be permitted.

On that same note regarding utilities, there is a 20ft wide utilities easement to Northern Lights (Instr 398283), and the proposed garage location is on top of this easement. This easement is called out on their site plan but this conflict is not addressed, and typically structures are not allowed in utility easements. Is Northern Lights vacating their need for this utilities easement? Their input on this matter is an important consideration.

-Matt Mulder, PE
Staff Engineer
Bonner County Road & Bridge
208-255-5681 ext 1

On Wed, Apr 8, 2026 at 3:50 PM Bonner County Planning Department <planning@bonnercountyid.gov> wrote:

You are invited to comment on this application, your comments must be received by the Bonner County Planning Department by 5 p.m. **April 30, 2026.**

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,

Jeannie Welter
Bonner County Planning Department



Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] RE: Notice of Public Hearing - Comments Due by May 5, 2026 - Appeal File V0036-25 - Bonner County Planning

1 message

Farley, Alynnette B (CONTR) - TERR-BELL-1 <abfarley@bpa.gov>

Mon, Apr 13, 2026 at 7:57 AM

To: Bonner County Planning Department <planning@bonnercountyid.gov>, "nathan@inlandcell.com"

<nathan@inlandcell.com>, "scotth@weistowers.com" <scotth@weistowers.com>

Cc: Jason Johnson <jason.johnson@bonnercountyid.gov>, Janna Brown <janna.brown@bonnercountyid.gov>, Maya Johnson <maya.johnson@bonnercountyid.gov>

No comment, no BPA ROW at location.

Thank you,

Alynnette Farley

BONNEVILLE POWER ADMINISTRATION**DEPARTMENT OF ENERGY****CONTR (Actalent)**

Right-of-Way Agent | Real Property Services | TERR

abfarley@bpa.gov | O: 509-468-3083 | C: 971-710-6926**From:** Bonner County Planning Department <planning@bonnercountyid.gov>**Sent:** Thursday, April 9, 2026 9:01 AM**To:** nathan@inlandcell.com; scotth@weistowers.com**Cc:** Jason Johnson <jason.johnson@bonnercountyid.gov>; Janna Brown <janna.brown@bonnercountyid.gov>;Maya Johnson <maya.johnson@bonnercountyid.gov>**Subject:** Notice of Public Hearing - Comments Due by May 5, 2026 - Appeal File V0036-25 - Bonner County Planning

You are invited to comment on this application, your comments must be received by the Bonner County Planning Department by 5 p.m. **May 5, 2026.**

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,

Jeannie Welter

NOTICE OF PUBLIC HEARING



I hereby certify that a true and correct copy of this "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **9th** day of **April 2026**.

Jeannie L Welter
Jeannie Welter, Systems Technician

This notice was mailed to political subdivisions, property owners within 300 feet of the subject property, and the media on **Thursday, April 9, 2026**.

NOTICE IS HEREBY GIVEN that the Bonner County Commissioners will hold a public hearing at **1:00 pm** on **Tuesday, April 19, 2026** in the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, by Zoom teleconference, and YouTube Livestream to consider the following request:

Appeal - File CUP0011-24 - Conditional Use Permit - Communication Tower: A Conditional Use Permit to construct and operate a 190' lattice tower with an 8' x 10' unmanned equipment shelter in a 50' x 50' compound enclosed in a chain-link fence. The parcel is five (5) acres and is currently zoned Agricultural/Forestry 10 (A/F-10). The subject property is located off Highway 57, down Quartz Mountain Road and on Northgate Road in Section 16, Township 57 North, Range 5 West, Boise Meridian, Bonner County Idaho. The project is located within the service area of West Pend Oreille Fire District. The Zoning Commission at the public hearing on February 12, 2026, denied this file. An appeal was received in a timely manner by the Planning Department.

For details regarding this application, Zoom teleconference, or YouTube livestream, visit the Planning Department web site at www.bonnercountyid.gov/departments/Planning. Staff reports are available online or may be viewed at the planning department approximately a week before the scheduled hearing.

Written statements must be submitted to the planning department record no later than seven (7) days prior to the public hearing. Written statements not exceeding one standard letter sized, single spaced page may be submitted at the public hearing. Statements can be sent to the Bonner County Planning Department at 1500 Highway 2, Suite 208, Sandpoint, Idaho 83864; faxed to 866-537-4935 or e-mailed to planning@bonnercountyid.gov. The referenced start time stated above reflects the beginning of the hearing. Specific file start time and hearing duration vary.

During the hearing for this application, the public will be given an opportunity to provide testimony and/or evidence regarding how the proposal does or does not comply with the applicable approval criteria of the Bonner County Revised Code. At the close of the public hearing, the governing body will make a decision on the application that may include, but is not limited to, approval, denial, remand, or continuance of the public hearing. Any person needing special accommodations to participate in the public hearing should contact the Bonner County Planning Department at (208) 265-1458 at least 48 hours prior to the scheduled hearing.

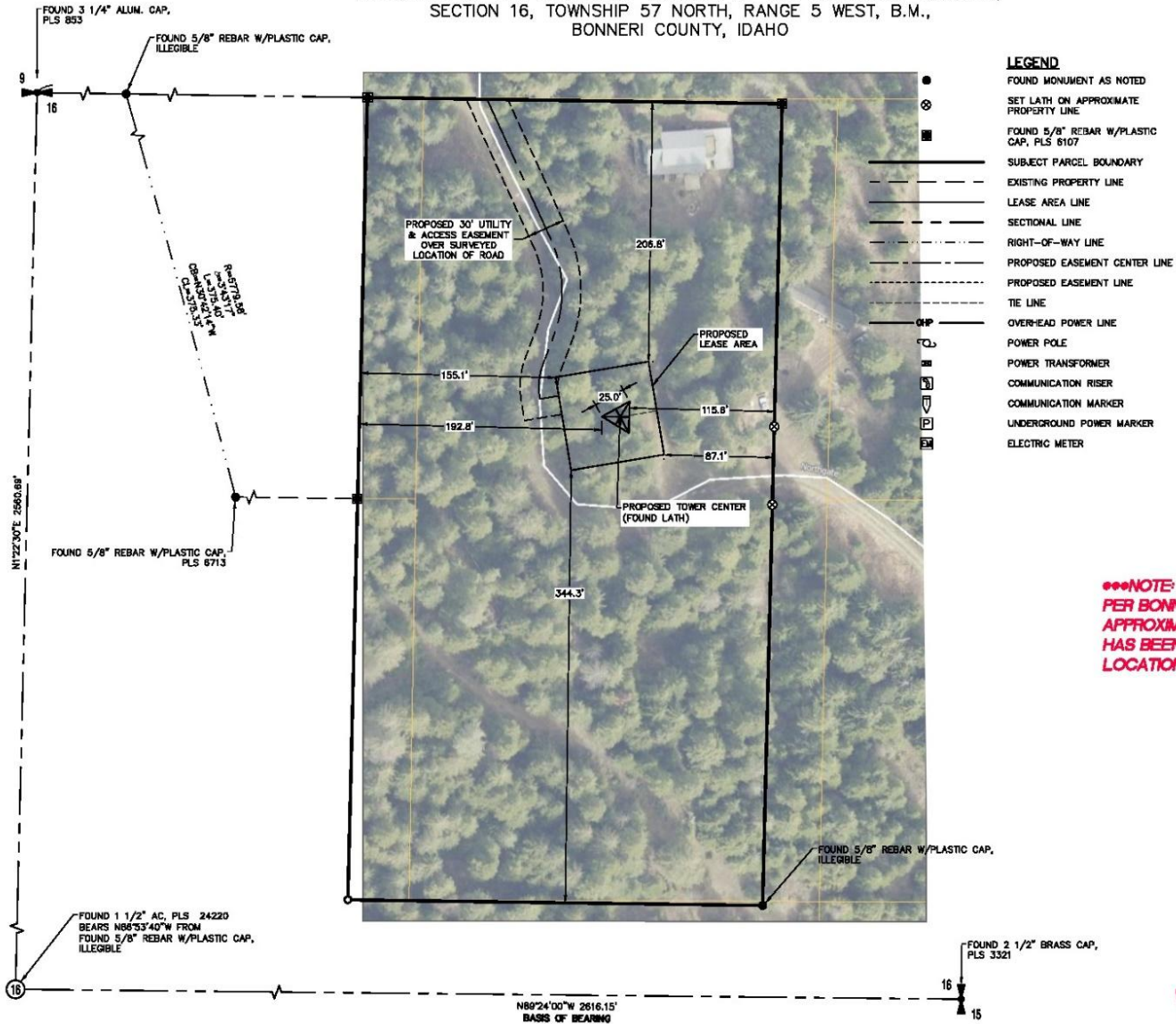
If you have no comment or response, you may indicate below and return this form to the Planning Department.

NO COMMENT _____
Name

Date

NORTHGATE TOWER SITE EXHIBIT

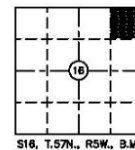
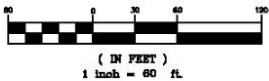
A PORTION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER,
SECTION 16, TOWNSHIP 57 NORTH, RANGE 5 WEST, B.M.,
BONNERI COUNTY, IDAHO



NOTE: THE BACKGROUND IMAGE IS PER BONNER COUNTY GIS, AND IS APPROXIMATE IN NATURE. THE IMAGE HAS BEEN LOCATED BY THE SURVEYED LOCATION OF THE ACCESS ROAD.

PRELIMINARY

GRAPHIC SCALE



storhäug
civil engineering planning
landscape architecture surveying

510 east third avenue | spokane, wa | 99202
p 509.242.1000

DATE 08/14/2024	SCALE 1" = 60'
FIELD BOOK 24-285	DRAWN DKM/JRB
PROJECT NUMBER 24-285	DRAWING NO. 1 OF 2



Janna Brown <janna.brown@bonnercountyid.gov>

RE: Notice of Public Hearing - Comments Due by April 30, 2026 - File V0036-25 - Bonner County Planning

1 message

'Farley,Alynette B (CONTR) - TERR-BELL-1' via Mail-Planning

Mon, Apr 13, 2026 at 7:36 AM

<planning@bonnercountyid.gov>

Reply-To: "Farley,Alynette B (CONTR) - TERR-BELL-1" <abfarley@bpa.gov>

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

No BPA Powerline ROW in the location of the subject Application. No comment is needed.

Thank you,

Alynette Farley

BONNEVILLE POWER ADMINISTRATION

DEPARTMENT OF ENERGY

CONTR (Actalent)

Right-of-Way Agent | Real Property Services | TERR

abfarley@bpa.Gov | O: 509-468-3083 | C: 971-710-6926

From: Bonner County Planning Department <planning@bonnercountyid.gov>**Sent:** Wednesday, April 8, 2026 3:50 PM**Cc:** Kyle Snider <kyle.snider@bonnercountyid.gov>; Janna Brown <janna.brown@bonnercountyid.gov>; Maya Johnson <maya.johnson@bonnercountyid.gov>; christydoc@yahoo.com; jjensen@jasewell.com**Subject:** Notice of Public Hearing - Comments Due by April 30, 2026 - File V0036-25 - Bonner County Planning

You are invited to comment on this application, your comments must be received by the Bonner County Planning Department by 5 p.m. **April 30, 2026.**

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,

Jeannie Welter

Bonner County Planning Department

Systems Technician

NOTICE OF PUBLIC HEARING



I hereby certify that a true and correct copy of this "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **28th** day of **July 2026**.

Jeannie L Welter

Jeannie Welter, Systems Technician

This notice was mailed to political subdivisions, property owners within 300 feet of the subject property, and the media on **Tuesday, July 28, 2026**.

NOTICE IS HEREBY GIVEN that the Bonner County Commissioners will hold a public hearing at **10:00 am** on **Thursday, September 3, 2026**, in the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, by Zoom teleconference, and YouTube Livestream to consider the following request:

Appeal - File V0036-25 - Variance - Street Setback: Request for an 8' street setback where 25' is required for the construction of an accessory building. The ≈ 0.172 -acre property is zoned Recreation. The project site is located off Sherwood Beach Road in Section 3, Township 59 North, Range 04 West, Boise-Meridian. The Zoning Commission, at the public hearing on May 14, 2026, denied this file. An appeal was received by the Planning Department in a timely manner, requesting this file be considered by the Board of County Commissioners.

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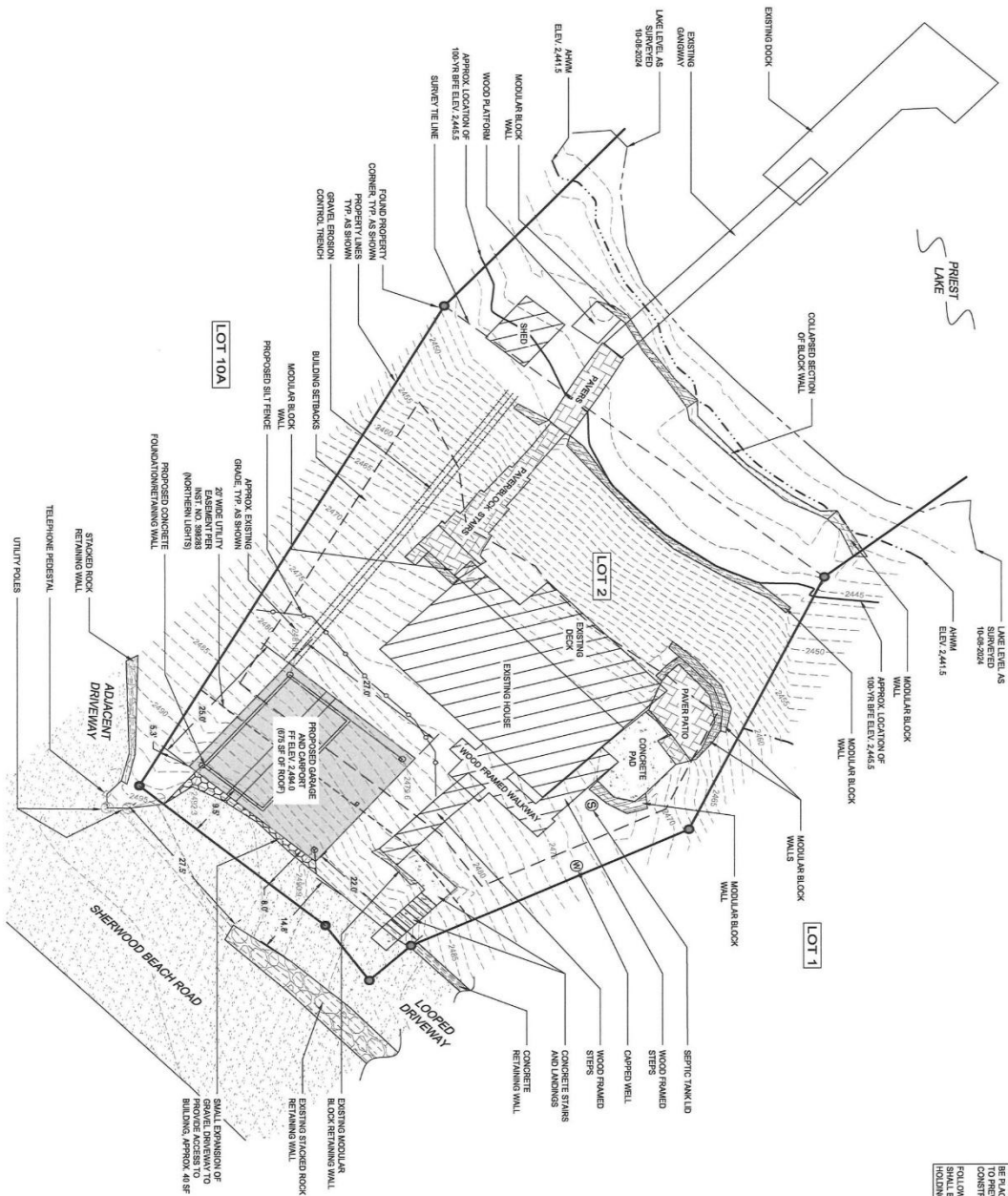
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If you have no comment or response, you may indicate below and return this form to the Planning Department.

NO COMMENT _____
Name

Date

4.1 SCALE: AS SHOWN



STORMWATER AND REGIONAL CONTROL NOTES:

THE PROPOSED CONSTRUCTION WILL RESULT APPROXIMATELY 1,400 YD OF THE LOT WHICH IS MAINLY USED IN RECREATION. THEREFORE, THERE IS NO REQUIREMENT FOR EROSION CONTROL NOT REQUIRED PER THE REINFORCEMENT OF BROWNS COUNTY CODE.

STORMWATER RAINOFF FROM PROPOSED IMPROVED SURFACES WILL BE DIRECTED THROUGH LANDSCAPED AREAS TO PREVENT EROSION.

ALL EROSION ON TRAILWAY MATINE SEDIMENT BARRIERS WILL BE MAINTAINED DURING CONSTRUCTION ACTIVITIES TO PREVENT SEDIMENTATION OF CONSTRUCTION ACTIVITIES.

CONSTRUCTION SHALL BE CONDUCTED WITH MINIMAL DISRUPTION TO EXISTING VEGETATION.

FOLLOWING FINAL GRADING ALL DISTURBED SOIL AREAS SHALL BE RESEED WITH MATINE PLANTS HAVING SOIL HOLDING PROPERTIES.

NOTE: UNLESS OTHERWISE NOTED
ALL EXISTING FEATURES SHALL BE
PRESERVED AND PROTECTED.



0 5 10 20

SCALE IN FEET
CONTOUR INTERVAL IS 1'
DATUM: NAVD 88

SHEET TITLE:
PROPOSED SITE PLAN

PROJECT:
SMITH RES. AT SHERWOOD BEACH
GARAGE VARIANCE DRAWINGS
BONNER COUNTY, IDAHO



James A. Sewell and Associates, LLC
1319 NORTH DIVISION AVENUE
SANDPOINT, IDAHO 83864
(208) 263-4160

No.	DATE:	REVISION	DRN/CHK



Digitally Signed by: Jeff Jensen, P.E.
Contact Info: jjensen@jasewell.com
Date: 10/20/2025 8:24:54 AM

Maya Johnson

From: coolinsewer@gmail.com
Sent: Thursday, August 20, 2026 1:47 PM
To: Planning
Subject: RE: Appeal - Request for Agency Review & Comment - Due by August 20, 2026 - File V0036-25 - Bonner County Planning
Attachments: File V0036-25 Notice of Public Hearing Appeal (1102 Sherwood Beach Rd).pdf

Coolin Sewer District has concerns with accessibility to the main sewer line that runs down Sherwood Beach Road. The proposed accessory building would be encroaching on the Coolin Sewer District easement for the mainline.

Thank you,

Jordan Brooks
Clerk | Treasurer
[Coolin Sewer District](#)
208.290.3318

From: Planning <Planning@bonnercountyid.gov>
Sent: Tuesday, July 28, 2026 1:42 PM
Cc: Maya Johnson <Maya.Johnson@bonnercountyid.gov>; Janna Brown <janna.brown@bonnercountyid.gov>; Jeannie Welter <jeannie.welter@bonnercountyid.gov>; Kyle Snider <kyle.snider@bonnercountyid.gov>; cristydoc@yahoo.com; jjensen@jasewell.com
Subject: Appeal - Request for Agency Review & Comment – Due by August 20, 2026 – File V0036-25 – Bonner County Planning

You are invited to comment on this application, your comments must be received by the Bonner County Planning Department by 5 p.m. **August 20, 2026.**

To review this application, go to the Planning Department web site at www.bonnercountyid.gov/departments/Planning/current-projects.

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.

Have a wonderful day!

Jeannie Welter
Bonner County Planning Department
Systems Technician
208-265-1458



Maya Johnson <maya.johnson@bonnercountyid.gov>

Notice of Public Hearing - Comments Due by April 30, 2026 - File V0036-25 - Bonner County Planning

coolinsewer@gmail.com <coolinsewer@gmail.com>

Thu, Apr 16, 2026 at 2:38 PM

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

Cc: Jake Copeland <jake@coolinsewerdistrict.com>, Chris Morris <chris@coolinsewerdistrict.com>

Coolin Sewer District comments for File V0036-25:

We have concerns with accessibility to the main sewer line that runs down Sherwood Beach Road. The proposed accessory building would be encroaching on the Coolin Sewer District easement for the mainline.

Thank you,

Jordan Brooks

Clerk | Treasurer

[Coolin Sewer District](#)

208.290.3318

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

Sent: Wednesday, April 8, 2026 3:50 PM

Cc: Kyle Snider <kyle.snider@bonnercountyid.gov>; Janna Brown <janna.brown@bonnercountyid.gov>; Maya Johnson <maya.johnson@bonnercountyid.gov>; christydoc@yahoo.com; jjensen@jasewell.com

Subject: Notice of Public Hearing - Comments Due by April 30, 2026 - File V0036-25 - Bonner County Planning

You are invited to comment on this application, your comments must be received by the Bonner County Planning Department by 5 p.m. **April 30, 2026.**

[Quoted text hidden]

[Quoted text hidden]



Notice of Public Hearing ZC 5.14.26.docx

848K

Maya Johnson

From: DEQ Comments <deqcomments@deq.idaho.gov>
Sent: Friday, August 14, 2026 1:10 PM
To: Planning
Subject: RE: Appeal - Request for Agency Review & Comment – Due by August 20, 2026 – File V0036-25 – Bonner County Planning

Follow Up Flag: Follow up
Flag Status: Flagged

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: Planning <Planning@bonnercountyid.gov>
Sent: Tuesday, July 28, 2026 1:42 PM
Cc: Maya Johnson <Maya.Johnson@bonnercountyid.gov>; Janna Brown <janna.brown@bonnercountyid.gov>; Jeannie Welter <jeannie.welter@bonnercountyid.gov>; Kyle Snider <kyle.snider@bonnercountyid.gov>; cristydoc@yahoo.com; jjensen@jasewell.com
Subject: Appeal - Request for Agency Review & Comment – Due by August 20, 2026 – File V0036-25 – Bonner County Planning

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.

You are invited to comment on this application, your comments must be received by the Bonner County Planning Department by 5 p.m. **August 20, 2026.**

To review this application, go to the Planning Department web site at www.bonnercountyid.gov/departments/Planning/current-projects.



Maya Johnson <maya.johnson@bonnercountyid.gov>

Notice of Public Hearing - Comments Due by April 30, 2026 - File V0036-25 - Bonner County Planning

DEQ Comments <deqcomments@deq.idaho.gov>

Thu, Apr 9, 2026 at 2:50 PM

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

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 Department <planning@bonnercountyid.gov>

Sent: Wednesday, April 8, 2026 3:50 PM

Cc: Kyle Snider <kyle.snider@bonnercountyid.gov>; Janna Brown <janna.brown@bonnercountyid.gov>; Maya Johnson <maya.johnson@bonnercountyid.gov>; christydoc@yahoo.com; jjensen@jasewell.com

Subject: Notice of Public Hearing - Comments Due by April 30, 2026 - File V0036-25 - Bonner County Planning

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.

[Quoted text hidden]

[Quoted text hidden]

[EXT SENDER] RE: Appeal - Request for Agency Review & Comment – Due by August 20, 2026 – File V0036-25 – Bonner County Planning

From Bates, Luke <Luke.Bates@idwr.idaho.gov>

Date Wed 7/29/2026 7:44 AM

To Planning <Planning@bonnercountyid.gov>

Cc Maya Johnson <Maya.Johnson@bonnercountyid.gov>; Janna Brown <janna.brown@bonnercountyid.gov>; Jeannie Welter <jeannie.welter@bonnercountyid.gov>; Kyle Snider <kyle.snider@bonnercountyid.gov>; cristydoc@yahoo.com <cristydoc@yahoo.com>; jjensen@jasewell.com <jjensen@jasewell.com>

REF: V0036-25

TO: Bonner County Planning Department

Good morning,

Idaho Department of Water Resources (IDWR) – Northern Regional Office doesn't have any comments for the proposed application, as it isn't within IDWR's jurisdiction.

Thank you for the opportunity to comment,



Luke Bates – Sr Water Resource Agent
Idaho Department of Water Resources
Northern Regional Office
208-762-2817
7600 N Mineral Dr Suite 100 Coeur D Alene ID 83815-7763

From: Planning <Planning@bonnercountyid.gov>

Sent: Tuesday, July 28, 2026 1:42 PM

Cc: Maya Johnson <Maya.Johnson@bonnercountyid.gov>; Janna Brown <janna.brown@bonnercountyid.gov>; Jeannie Welter <jeannie.welter@bonnercountyid.gov>; Kyle Snider <kyle.snider@bonnercountyid.gov>; cristydoc@yahoo.com; jjensen@jasewell.com

Subject: Appeal - Request for Agency Review & Comment – Due by August 20, 2026 – File V0036-25 – Bonner County Planning

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.

You are invited to comment on this application, your comments must be received by the Bonner County Planning Department by 5 p.m. **August 20, 2026.**



Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] RE: Notice of Public Hearing - Comments Due by April 30, 2026 - File V0036-25 - Bonner County Planning

1 message

Bates, Luke <Luke.Bates@idwr.idaho.gov>

Mon, Apr 13, 2026 at 3:05 PM

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

REF: V0036-25

TO: Bonner County Planning Department

Good afternoon,

Idaho Department of Water Resources (IDWR) – Northern Regional Office doesn't have any comments for the proposed variance as it isn't within IDWR's jurisdiction.

Thank you for the opportunity to comment,

Luke Bates – Sr Water Resource Agent

Idaho Department of Water Resources

Northern Regional Office

7600 N Mineral Dr Suite 100 Coeur D Alene ID 83815-7763

From: Bonner County Planning Department <planning@bonnercountyid.gov>**Sent:** Wednesday, April 8, 2026 3:50 PM**Cc:** Kyle Snider <kyle.snider@bonnercountyid.gov>; Janna Brown <janna.brown@bonnercountyid.gov>; Maya Johnson <maya.johnson@bonnercountyid.gov>; christydoc@yahoo.com; jjensen@jasewell.com**Subject:** Notice of Public Hearing - Comments Due by April 30, 2026 - File V0036-25 - Bonner County Planning

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.

Maya Johnson

From: planning@bonnercountyid.gov on behalf of Horsmon,Merritt
<merritt.horsmon@idfg.idaho.gov>
Sent: Thursday, April 30, 2026 12:56 PM
To: Planning
Subject: RE: Notice of Public Hearing - Comments Due by April 30, 2026 - File V0036-25 - Bonner County Planning

You don't often get email from merritt.horsmon@idfg.idaho.gov. [Learn why this is important](#)

The Idaho Department of Fish and Game does not have any comments to submit for this application.

Thank you for the opportunity to review and comment,

Merritt Horsmon

Regional Technical Assistance Manager
Panhandle Region
2885 W. Kathleen Ave.
Coeur d'Alene, ID 83815
208.769.1414 office
208.251.4509 mobile
merritt.horsmon@idfg.idaho.gov



From: Bonner County Planning Department <planning@bonnercountyid.gov>
Sent: Wednesday, April 08, 2026 3:50 PM
Cc: Kyle Snider <kyle.snider@bonnercountyid.gov>; Janna Brown <janna.brown@bonnercountyid.gov>; Maya Johnson <maya.johnson@bonnercountyid.gov>; christydoc@yahoo.com; jjensen@jasewell.com
Subject: Notice of Public Hearing - Comments Due by April 30, 2026 - File V0036-25 - Bonner County Planning

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.

You are invited to comment on this application, your comments must be received by the Bonner County Planning Department by 5 p.m. **April 30, 2026.** Please review the application relative to your agency's area of expertise and include any recommended conditions of approval and supporting code sections.

Maya Johnson

From: planning@bonnercountyid.gov on behalf of Horsmon, Merritt
<merritt.horsmon@idfg.idaho.gov>
Sent: Friday, May 1, 2026 2:15 PM
To: Planning
Subject: RE: Notice of Public Hearing - Comments Due by May 5, 2026 - Appeal File V0036-25 - Bonner County Planning

The Idaho Department of Fish and Game does not have any comments to submit for this application.

Thank you for the opportunity to review and comment,

Merritt Horsmon

Regional Technical Assistance Manager
Panhandle Region
2885 W. Kathleen Ave.
Coeur d'Alene, ID 83815
208.769.1414 office
208.251.4509 mobile
merritt.horsmon@idfg.idaho.gov



From: Bonner County Planning Department <planning@bonnercountyid.gov>
Sent: Thursday, April 09, 2026 9:01 AM
To: nathan@inlandcell.com; scotth@weistowers.com
Cc: Jason Johnson <jason.johnson@bonnercountyid.gov>; Janna Brown <janna.brown@bonnercountyid.gov>; Maya Johnson <maya.johnson@bonnercountyid.gov>
Subject: Notice of Public Hearing - Comments Due by May 5, 2026 - Appeal File V0036-25 - Bonner County Planning

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.

You are invited to comment on this application, your comments must be received by the Bonner County Planning Department by 5 p.m. **May 5, 2026.**

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.



Maya Johnson <maya.johnson@bonnercountyid.gov>

Notice of Public Hearing - Comments Due by April 30, 2026 - File V0036-25 - Bonner County Planning

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

Mon, Apr 13, 2026 at 9:39 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 Department <planning@bonnercountyid.gov>
Sent: Wednesday, April 8, 2026 3:50 PM
Cc: Kyle Snider <kyle.snider@bonnercountyid.gov>; Janna Brown <janna.brown@bonnercountyid.gov>; Maya Johnson <maya.johnson@bonnercountyid.gov>; christydoc@yahoo.com; jjensen@jasewell.com
Subject: Notice of Public Hearing - Comments Due by April 30, 2026 - File V0036-25 - Bonner County Planning

CAUTION: This email originated outside the State of Idaho network. Verifv 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.

You are invited to comment on this application, your comments must be received by the Bonner County Planning Department by 5 p.m. **April 30, 2026.**

[Quoted text hidden]

[Quoted text hidden]



Janna Brown <janna.brown@bonnercountyid.gov>

RE: Notice of Public Hearing - Comments Due by April 30, 2026 - File V0036-25 - Bonner County Planning

1 message

'KPSD Clerk' via Mail-Planning <planning@bonnercountyid.gov>
Reply-To: KPSD Clerk <clerk@kootenaiponderaysewerdistrict.org>
To: planning@bonnercountyid.gov

Thu, Apr 9, 2026 at 8:17 AM

Attached is the District's response to the above-named file.

Beate Pryor

Clerk - Administrative Assistant
Kootenai-Ponderay Sewer District
511 Whiskey Jack Road Sandpoint, ID 83864
Office Hours: 8:30 am – 5:00 pm, Monday through Thursday
Phone: 208.263.0229

From: Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>

Sent: Wednesday, April 8, 2026 3:57 PM

To: KPSD Clerk <clerk@kootenaiponderaysewerdistrict.org>

Subject: FW: Notice of Public Hearing - Comments Due by April 30, 2026 - File V0036-25 - Bonner County Planning

NOTICE OF CHANGE IN HOURS: THE OFFICE WILL BE CLOSED ON FRIDAYS. WE WILL BE OPEN NORMAL HOURS MONDAY THRU THURSDAY.

Colleen Johnson

Business Office Manager

Kootenai-Ponderay Sewer District

208-263-0229 Fax – 208-265-5326 Mobile: 208-304-5820

511 Whiskey Jack Road Sandpoint, Idaho 83864

P.O. Box 562, Kootenai, ID 83840

“Dance with Life”



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

Sent: Wednesday, April 8, 2026 3:50 PM

Cc: Kyle Snider <kyle.snider@bonnercountyid.gov>; Janna Brown <janna.brown@bonnercountyid.gov>; Maya Johnson <maya.johnson@bonnercountyid.gov>; christydoc@yahoo.com; jjensen@jasewell.com

Subject: Notice of Public Hearing - Comments Due by April 30, 2026 - File V0036-25 - Bonner County Planning

You are invited to comment on this application, your comments must be received by the Bonner County Planning Department by 5 p.m. **April 30, 2026.**

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,

Jeannie Welter

Bonner County Planning Department

Systems Technician

208-265-1458



2026_04_Voo36-25 Variance.pdf

178K

NOTICE OF PUBLIC HEARING



I hereby certify that a true and correct copy of this "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **7th** day of **April 2026**.

Jeanie L Welter
Jeanie Welter, Systems Technician

This notice was mailed to political subdivisions, property owners within 300 feet of the subject property, and the media on **Tuesday, April 7, 2026**.

NOTICE IS HERBY GIVEN that the Bonner County Zoning Commission will hold a public hearing at **5:30 pm on Thursday, May 14, 2026**, in the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, by Zoom teleconference, and YouTube Livestream to consider the following requests:

File V0036-25 - Variance - Street Setback: The applicant is requesting an 8' street setback where 25' is required for the construction of an accessory building. The ≈ 0.172 -acre property is zoned Recreation. The project site is located off Sherwood Beach Road in Section 3, Township 59 North, Range 04 West, Boise-Meridian. The project site is within the service areas of Coolin Cavanaugh Bay Fire District, Coolin Sewer, and West Bonner School District #83.

For details regarding this application, Zoom teleconference, or YouTube livestream, visit the Planning Department web site at www.bonnercountyyid.gov/departments/Planning. Staff reports are available online or may be viewed at the planning department approximately a week before the scheduled hearing.

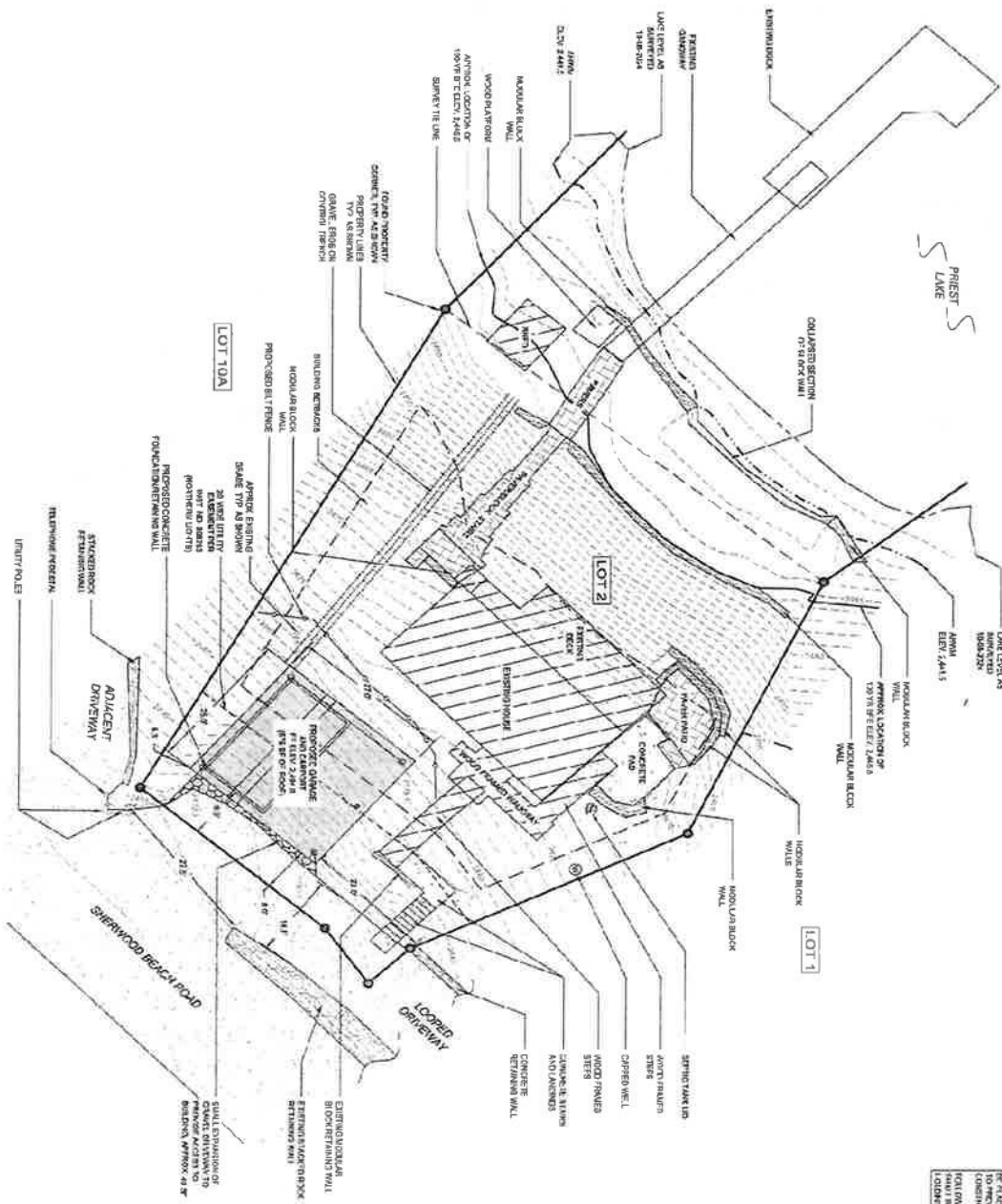
Written statements must be submitted to the planning department record no later than April 30, 2026. Written statements not exceeding one standard letter sized, single spaced page may be submitted at the public hearing. Statements can be sent to the Bonner County Planning Department at 1500 Highway 2, Suite 208, Sandpoint, Idaho 83864; faxed to 866-537-4935 or e-mailed to planning@bonnercountyyid.gov. The referenced start time stated above reflects the beginning of the hearing. Specific file start time and hearing duration vary.

During the hearing for this application, the public will be given an opportunity to provide testimony and/or evidence regarding how the proposal does or does not comply with the applicable approval criteria of the Bonner County Revised Code. At the close of the public hearing, the governing body will make a decision on the application that may include, but is not limited to, approval, denial, remand, or continuance of the public hearing. Any person needing special accommodations to participate in the public hearing should contact the Bonner County Planning Department at (208) 265-1458 at least 48 hours prior to the scheduled hearing.

If you have no comment or response, you may indicate below and return this form to the Planning Department.

NO COMMENT *Kootenai-Ponderay Sewer District* *4/8/26*
Name Date
Out of boundaries.

PROPOSED SITE PLAN

[illegible]

SCALE FEET
CONTINGENT 15' PLATTIN NAD IN

PROPOSED SITE PLAN

PROJECT
SMITH RES. AT SHERWOOD BEACH
GARAGE VARIANCE DRAWINGS
BONNER COUNTY, IDAHO



James A. Sewell and Associates, LLC
1319 NORTH DIVISION AVENUE
SANDPOINT, IDAHO 83864
(208) 263-4160

[illegible]

10-27-2025

Digitally Signed by: Jeff Jensen, P.E.
Contact Info: jjensen@jasewell.com
Date: 10/20/2025 8:24:54 AM



NOTICE OF PUBLIC HEARING

I hereby certify that a true and correct copy of this "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this 7th day of April 2026.

Jeannie L. Welter
Jeannie Welter, Systems Technician

This notice was mailed to political subdivisions, property owners within 300 feet of the subject property, and the media on **Tuesday, April 7, 2026.**

NOTICE IS HERBY GIVEN that the Bonner County Zoning Commission will hold a public hearing at **5:30 pm on Thursday, May 14, 2026**, in the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, by Zoom teleconference, and YouTube Livestream to consider the following requests:

File V0036-25 - Variance – Street Setback: The applicant is requesting an 8’ street setback where 25’ is required for the construction of an accessory building. The ≈0.172-acre property is zoned Recreation. The project site is located off Sherwood Beach Road in Section 3, Township 59 North, Range 04 West, Boise-Meridian. The project site is within the service areas of Coolin Cavanaugh Bay Fire District, Coolin Sewer, and West Bonner School District #83.

For details regarding this application, Zoom teleconference, or YouTube livestream, visit the Planning Department web site at www.bonnercountyid.gov/departments/Planning. Staff reports are available online or may be viewed at the planning department approximately a week before the scheduled hearing.

Written statements must be submitted to the planning department record no later than April 30, 2026. Written statements not exceeding one standard letter sized, single spaced page may be submitted at the public hearing. Statements can be sent to the Bonner County Planning Department at 1500 Highway 2, Suite 208, Sandpoint, Idaho 83864; faxed to 866-537-4935 or e-mailed to planning@bonnercountyid.gov. The referenced start time stated above reflects the beginning of the hearing. Specific file start time and hearing duration vary.

During the hearing for this application, the public will be given an opportunity to provide testimony and/or evidence regarding how the proposal does or does not comply with the applicable approval criteria of the Bonner County Revised Code. At the close of the public hearing, the governing body will make a decision on the application that may include, but is not limited to, approval, denial, remand, or continuance of the public hearing. Any person needing special accommodations to participate in the public hearing should contact the Bonner County Planning Department at (208) 265-1458 at least 48 hours prior to the scheduled hearing.

If you have no comment or response, you may indicate below and return this form to the Planning Department.

NO COMMENT Amelia PHD 4/15/26
Name Date

Maya Johnson

From: 'Ken Flint' via Mail-Planning <planning@bonnercountyid.gov>
Sent: Wednesday, April 29, 2026 1:54 PM
To: Planning
Subject: Re: [EXTERNAL] Notice of Public Hearing - Comments Due by May 5, 2026 - Appeal File V0036-25 - Bonner County Planning

Follow Up Flag: Follow up
Flag Status: Flagged

Approved. Not near TC Energy ROW.

Ken

From: Bonner County Planning Department <planning@bonnercountyid.gov>
Sent: Thursday, April 9, 2026 9:00 AM
To: nathan@inlandcell.com <nathan@inlandcell.com>; scotth@weistowers.com <scotth@weistowers.com>
Cc: Jason Johnson <jason.johnson@bonnercountyid.gov>; Janna Brown <janna.brown@bonnercountyid.gov>; Maya Johnson <maya.johnson@bonnercountyid.gov>
Subject: [EXTERNAL] Notice of Public Hearing - Comments Due by May 5, 2026 - Appeal File V0036-25 - Bonner County Planning

EXTERNAL EMAIL: PROCEED WITH CAUTION.

This e-mail has originated from outside of the organization. Do not respond, click on links or open attachments unless you recognize the sender or know the content is safe. If this email looks suspicious, report it.

You are invited to comment on this application, your comments must be received by the Bonner County Planning Department by 5 p.m. **May 5, 2026.**

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,

Jeannie Welter
Bonner County Planning Department
Systems Technician
208-265-1458

We respect your right to choose which electronic messages you receive. **To stop receiving this and similar communications from TC Energy please reply to this email and change the subject line to "UNSUBSCRIBE".** This electronic message and any attached documents are intended only for the named addressee(s). This communication from TC Energy may contain information that is privileged,

confidential or otherwise protected from disclosure and it must not be disclosed, copied, forwarded or distributed without authorization. If you have received this message in error, please notify the sender immediately and delete the original message. Thank you.

Nous respectons votre droit de choisir les messages électroniques que vous recevez. **Pour ne plus recevoir ce message et des communications similaires de TC Énergie veuillez répondre à ce courriel avec l'objet "DÉSABONNEMENT"**. Ce message électronique et tous les documents joints sont destinés uniquement aux destinataires nommés. Cette communication de TC Énergie pourrait contenir de l'information privilégiée, confidentielle ou autrement protégée de la divulgation, et elle ne doit pas être divulguée, copiée, transférée ou distribuée sans autorisation. Si vous avez reçu ce message par erreur, veuillez en aviser immédiatement l'expéditeur et supprimer le message initial. Merci.

Respetamos el derecho de elegir los mensajes electrónicos que desea recibir. **Para dejar de recibir estos comunicados y otros similares de TC Energía responda este correo y cambie el asunto a "CANCELAR SUSCRIPCIÓN"**. Este mensaje electrónico y los documentos adjuntos están dirigidos solo a los destinatarios indicados. Este comunicado puede contener información de TC Energía privilegiada, confidencial, o bien protegida contra su divulgación, por lo que no se debe divulgar, copiar, reenviar ni distribuir sin autorización. Si recibió este mensaje por error, notifique de inmediato al remitente y borre el mensaje original. Gracias.

NOTICE OF PUBLIC HEARING



I hereby certify that a true and correct copy of this "Notice of Public Hearing" was digitally transmitted or mailed (postage prepaid) on this **28th** day of **July 2026**.

Jeannie L Welter

Jeannie Welter, Systems Technician

This notice was mailed to political subdivisions, property owners within 300 feet of the subject property, and the media on **Tuesday, July 28, 2026**.

NOTICE IS HEREBY GIVEN that the Bonner County Commissioners will hold a public hearing at **10:00 am** on **Thursday, September 3, 2026**, in the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, by Zoom teleconference, and YouTube Livestream to consider the following request:

Appeal - File V0036-25 - Variance - Street Setback: Request for an 8' street setback where 25' is required for the construction of an accessory building. The ≈0.172-acre property is zoned Recreation. The project site is located off Sherwood Beach Road in Section 3, Township 59 North, Range 04 West, Boise-Meridian. The Zoning Commission, at the public hearing on May 14, 2026, denied this file. An appeal was received by the Planning Department in a timely manner, requesting this file be considered by the Board of County Commissioners.

For details regarding this application, Zoom teleconference, or YouTube livestream, visit the Planning Department web site at www.bonnercountyid.gov/departments/Planning. Staff reports are available online or may be viewed at the planning department approximately a week before the scheduled hearing.

Written statements must be submitted to the planning department record no later than 5:00 p.m., August 20, 2026. Written statements not exceeding one standard letter sized, single spaced page may be submitted at the public hearing. Statements can be sent to the Bonner County Planning Department at 1500 Highway 2, Suite 208, Sandpoint, Idaho 83864; faxed to 866-537-4935 or e-mailed to planning@bonnercountyid.gov. The referenced start time stated above reflects the beginning of the hearing. Specific file start time and hearing duration vary.

During the hearing for this application, the public will be given an opportunity to provide testimony and/or evidence regarding how the proposal does or does not comply with the applicable approval criteria of the Bonner County Revised Code. At the close of the public hearing, the governing body will make a decision on the application that may include, but is not limited to, approval, denial, remand, or continuance of the public hearing. Any person needing special accommodations to participate in the public hearing should contact the Bonner County Planning Department at (208) 265-1458 at least 48 hours prior to the scheduled hearing.

If you have no comment or response, you may indicate below and return this form to the Planning Department.

NO COMMENT Kootenai-Ponderay Sewer District July 28, 2026
Name Date

Out of boundaries.

4.1 SCALE AS BYRONIAN



No.	DATE	REVISION	OTHER CHG
-----	------	----------	-----------

10-20-2025

Digitally Signed by: Jeff Jensen, P.E.
Contact Info: jjensen@jasewell.com
Date: 10/20/2025 8:24:54 AM

Appendix C - V0036-25 Zoning Commission Decision Letter



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

June 12, 2026

James & Mary Smith
11415 S. George Road
Spokane, WA 99224

Subj: File V0036-25 – Variance – Street Setback

Appendices: (A) File V0036-25 Staff Report
(B) Land Use Decision-Making Worksheet

Dear James & Mary,

The Bonner County Zoning Commission, at the May 14, 2026 hearing, denied the referenced application.

Commissioner Pound moved to deny this project V0036-25 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 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. Commissioner Pound 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 Blaser: NAY

Commissioner Pound: AYE

Voted upon and the Chair declared the Motion passed, 2-1.

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., July 10, 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,



Commissioner Brett Blaser
Vice Chair, Bonner County Zoning Commission



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 CONDITIONAL USE PERMIT REVIEW:

Prior to approving a conditional use permit, 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 record that supports your conclusion and the rationale for the conclusion.

No comments were received from the public stating this project is against public interest. The commission found the slope of the lot being outside the applicant's control as undue hardship. The Zoning Commission further adopted the analysis as found in the Staff Report.

BCRC 12- 232 GENERAL PROVISIONS

YES NO

List the evidence from the record that supports your conclusion and the rationale for the conclusion.

The Zoning commission found that the proposal met the requirement of a variance due to the proposal is regarding the placement of a structure.

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 found no issues with the application contents.		

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 agreed that the applicant has no control over the slope or size of the lot.		

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 the applicant has made no changes that would require a variance.		

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 no comment or testimony was received from the public indicating that this proposal would be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.		

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.
The Zoning Commission agreed that this section would be further reviewed during the applicant's building location permit and adopted the analysis as found in the staff report.		

Facts Contested on the Record

The Zoning Commission found that the application met all applicable criteria. The majority of the Commission stated on record that they denied the application based upon the applicant being absent from the hearing.

Appendix D – Appeal Letter

This appeal requests reversal of the Bonner County Zoning Commission's (BCZC) denial (see attachment) of Variance 0036-25 on 14May2026. The decision was arbitrary and capricious, exceeded the commission's authority in several respects, and is not supported by substantial evidence in the record. The requested variance is the minimum necessary to address the property's unique physical constraints and create a safe off-street parking area without conflicting with the public interest, satisfying Bonner County Code section 12-234 A-C. I have attached supporting documents to this Appeal, including photos, plans and emails.

As per the instructions for the Notice of Appeal, *Grounds for Appeal (GA)* include that the decision of the BCZC was at a minimum:

1. *In violation of constitutional or statutory provisions;*
2. *In excess of the statutory authority of the commission or hearing examiner;*
3. *Made upon unlawful procedure;*
4. *Arbitrary, capricious or an abuse of discretion; or*
5. *Not supported by substantial evidence on the record as a whole.*

I am convinced the GA examples 2,4 and 5 were evident in the Zoning Commissions decision. My reasons are outlined below:

Our home is at 1102 Sherwood Beach Rd, about a mile north of Coolin, ID, and is waterfront Priest Lake property. This property has:

- a narrow front lot,
- steeply descending terrain (see attached IMG_5913),
- limited buildable area,
- an existing narrow, exposed and descending gravel parking arrangement shared with our neighbor's property and fully in the road right of way that, on our property, barely fits a little over one vehicle (see attached IMG_5919),
- heavy exposure to roadway and tree debris,
- no reasonable alternative location.

These facts are exactly what variance law is generally concerned with.

I am requesting a variance which will allow a garage and attached carport to be built less than 25' from the edge of this road, due to the spacial restrictions inherent in the steeply sloped and narrow landscape, which will result in a safe parking area on this property. As seen in attached IMG-5914 & 5915, the garage will be built approximately 21-22' from the edge of Sherwood Beach Rd.

The BCZC stated in its hearing (timestamps from this hearing are provided throughout this appeal for reference purpose) that variances are granted for "right or special privilege for *undue hardship* because of site characteristics" and that variances "must not conflict with public interest." (1:15:46) They acknowledged that this variance would not conflict with such interests (1:15:04), but assumed the steep slope of the property was the undue hardship (1:15:46), and stated that a garage would not solve the undue hardship. However, the steep slope is not the hardship, instead the unique physical conditions of the property—not the owner's preferences—*create* the hardship. The undue hardship is the current lack of safe parking that would protect our vehicles from the road and elements as currently situated.

The commission listed two public utilities that either oppose the variance or caution against it. The *Bonner County Road & Bridge* (BCRB) department assumed - without visiting the site from what I gather - that the garage *could* be damaged by their plows (1:07:10), and suggested that the garage be made of something they call "Damage Resistant Construction." There is no building code guidance in our community for such a requirement, as stated in this meeting (1:09:50). We are determined that this garage will be of a small footprint, cause minimal disruption to the surrounding foliage, and be of a design that complements the neighboring architecture. Building it of concrete as suggested would at best be an absolute eye sore, but also introduce difficult engineering challenges to deal with such a heavy structure on the sloped footprint. The building plan as imagined by my engineer is attached ("*Sherwood Garage Plans*"), and perfectly satisfies our design determination. BCRB also requested a waiver of liability from any damages they might cause in the future. Their waiver request is unnecessary and unreasonable, as I can attest that while staying at the home this winter, the large roadside snow piles from their plows, in a 20 mph zone where they plow much slower than that while passing our property due to road curves, never got close to where the garage would be built (we are asking for only a 3-4' variance after all). If a waiver was necessary, then it would have been necessary for our house as well, as it sits within the BCRB's stated and arbitrary projectile damage field. No damage to our home from their work has ever occurred. The commission also mentioned a caution from *Coolin Sewer District* (CSD) that the garage *could* encroach on the easement for the main sewer line (1:11:09). They explained that outside of this easement, utilities

have no jurisdiction (1:02:38). This concern was answered satisfactorily by my engineer, who in discussions with CSD was informed that no such encroachment exists. My engineer contacted CSD, who located the sewer lines which are in the middle and side of Sherwood Beach Rd, and are over 20' from the proposed garage (see attached "*Variance Appeal - CSD Main Line*"). The lack of supporting evidence for CSD's caution meets GA #5 requirements.

Early in the hearing (58:18), Comm. Pound expressed concern that we would build an apartment on top of the approved garage if he approved the variance, and that we could even build a 40 story high unit if he allowed it. He was instructed by the Asst Planning Director at 59:20 that the BCZC was convened solely to discuss variances, not construction. Comm. Pound's bizarre statement about building a 40 story unit above the garage - he later even stated I would build a full house on top of the garage if the variance was approved (59:44) - demonstrate that the Zoning Commission considered speculative future construction unrelated to the variance request before it. Because the commission's authority in this proceeding was limited to the requested variance, reliance on hypothetical future development exceeded the scope of the issue before the commission and constitutes evidence supporting GA 2, 4, and 5. To be 100% clear, I am asking for a variance to allow a small single-car garage and carport ONLY so that I can safely protect my vehicles from the elements, and nothing more.

Comm. Johnson suggested that the "view" could be compromised by this garage. Again, she was cautioned by Comm. Blaser that this concern is not within her authority (GA #2), but for the record, due to trees and bushes lining the sides of our house, there is presently barely a "view" of the lake from the proposed garage location (see attached IMG_5916), and the sliver of a lake view would regardless remain post-construction. She also suggested that the garage be moved closer to the house (1:03:20). My GC, my engineer and I have considered this, but aesthetically and by the steep slope of the land, the location depicted in our plans was painstakingly considered to create the least necessary setback variance, that would allow the least intrusive footprint and least possible change to the landscape. Moving the garage closer to the house creates a much greater footprint due to the landscape's steep slope, as the driveway to the structure would lengthen significantly and the rear support structure would grow precipitously taller, yet would still require the same road end of built-up structure to access parking - with the garage having the exact same footprint and location as the one drawn up by Sewell and Associates. This would also unnecessarily require the removal of many young and mature trees, which I have avoided so far. Comm. Johnson's concerns bear no merit, and meet GA 2 and 5.

The hearing record repeatedly references my absence as a factor in two of the commissioners' deliberations. Attendance by an applicant is not a statutory criterion for granting or denying a variance, and consideration of that factor was outside the legal standards governing this decision. Repeatedly, at 1:04:28 and again at 1:21:23, Comms. Pound and Johnson referred to my absence, going so far as to disparagingly state that I showed a lack of "care or concern" about the variance process, and that my absence showed that I "seemed to have little interest" as well. Consequently, they were counseled yet again by Comm. Blaser that their (false) assumption was not within their authority (GA 2,4 and 5 requirements met). It should be noted that only these two commissioners voted 'nay.'

The reason for my absence is a relatively simple one: I had no idea when the hearing would be held nor that I could even attend, despite numerous contacts with the Planning Department. I put in the variance application in January '26 and my understanding of this process after speaking with all parties involved was that it had a high chance of success due to previous approvals and its routine nature (there are several structures along Sherwood Beach Rd that are closer to the edge of the road than my proposal). In January, I was informed by the Planning Department to keep my fingers crossed for an April hearing. By April, and after several phone calls to the department, there was still no hearing, and I was informed perhaps I'd get lucky with a May hearing. The impression I had during this lull was that I was to just standby til the hearing was completed. At the end of May, my engineer informed me that the hearing was held earlier in the month and that the variance was denied. The letter of denial was finally issued on June 12th. At no time during this waiting period was I informed by the Planning Department of the scheduled date of the planned hearing, or that it would be possible or beneficial for me to attend. Had I known of this, I would absolutely have attended the hearing with all supporting documents in hand. Instead, the nay-voting commissioners were clearly frustrated by my absence. I would like the commissioners to know personally that my absence from their hearing had nothing to do with a lack of a care or concern for the process, but instead it was a lack of awareness that attendance was a possibility.

For the record, prior to the variance denial by the Bonner County Zoning Commission, I had paid nearly \$10,000 to my engineer for various geological site studies and building plans, and to the planning department for the numerous required fees, and now I am paying an additional \$330+ for this appeal process. I do not take the construction of this structure lightly, and have made certain to cross every 'T' and dot every 'I' that I knew to exist in order to have a positive outcome. As a former combat US naval aviator and flight instructor, I make sure the paperwork gets done.

Having said this, the commissioners numerous statements in the Zoning Commission hearing of 14May2026 meet examples 2, 4 and 5 of the Grounds for Appeal. For the foregoing reasons, and because the record demonstrates that the requested variance satisfies the applicable legal standards while the denial relied in part on considerations outside the commission's authority, I respectfully request that the Board reverse the decision of the Bonner County Zoning Commission and approve Variance 0036-25.

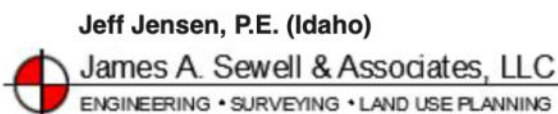
Jeff Jensen

To: me · Fri, Jul 10 at 8:22 AM ✓



The comment from the sewer district was that the “accessory building would be encroaching on the Coolin Sewer District easement for the mainline”. Attached is the plat showing the property and there is no easement for the Coolin Sewer district on the lot. The utility easement shown is for Northern Lights (also attached).

It is my understanding that the sewer main is located within the Sherwood Beach Road Right-of-Way and the building is set back 8 feet from the ROW so there is no conflict with the sewer line. I am not sure what specific easement the comment was referring to because we do not have record of that easement. I did leave a message with Coolin sewer district this morning about the approximate location of the sewer line in Sherwood Beach Road. I will let you know if when I hear back from them.



1319 North Division Avenue

Sandpoint, Idaho 83864

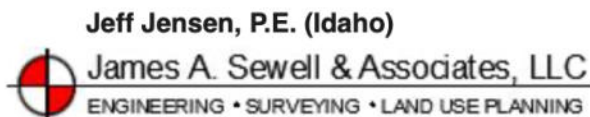
Phone: (208) 263-4160

Jeff Jensen

To: me · Fri, Jul 10 at 11:35 AM ✓

I just talked to Chris at Coolin sewer district. Based on information from him there are two sewer lines in the road. A 4” on the lake edge of the road and a 6” down the center.

The edge of the roadway is approximately 12’ from the property line and about 20’ from the proposed garage. I don’t think that will be a problem.



1319 North Division Avenue

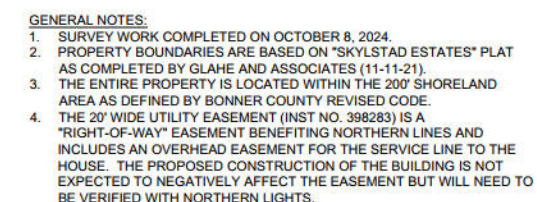
Sandpoint, Idaho 83864

Phone: (208) 263-4160

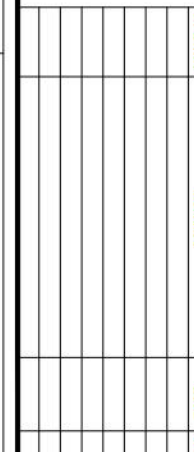
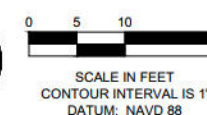
Fax: (208) 263-5229

www.jasewell.com

1102 SHERWOOD BEACH RD, COOLIN, (PARCEL RP0522400000020A / "SKYLSTAD ESTATES", LOT 2, SEC. 3, T 59 N, R 4 W, B.M., BONNER CO, ID



Bonner Boundary One Call
811



Digitally Signed by: Jeff Jensen, P.E.
Contact Info: jjensen@jasewell.com
Date: 10/20/2025 8:24:54 AM

James A. Sewell and Associates, LLC

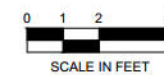
1319 NORTH DIVISION AVENUE
SANDPOINT, IDAHO 83864
(208) 263-4160



SHEET TITLE:
EXISTING SITE PLAN AND

PROJECT: SMITH RES. AT SHERWOOD BEACH
GARAGE VARIANCE DRAWINGS
BONNER COUNTY, IDAHO

DATE:	09-08-2025
SCALE:	AS SHOWN
DESIGNED:	JPJ
DRAWN:	JPJ
CHECKED:	PJG
PROJ NO.:	19617-24-001
CAD FILE:	E-Smith Skyslad.dwg
SHEET 1 OF 5	



-
- 12/7
- 12/2.5
- 13'
- 11'
- 6 X 6 COLUMN, TYP. AS SHOWN

12
2.5

12
17

11'-3"

13'

SAFETY RAILING
DESIGN BY OTHERS

STEEL COLUMN
TYP. AS SHOWN

STEEL CROSS BRACING
TYP. AS SHOWN

22'

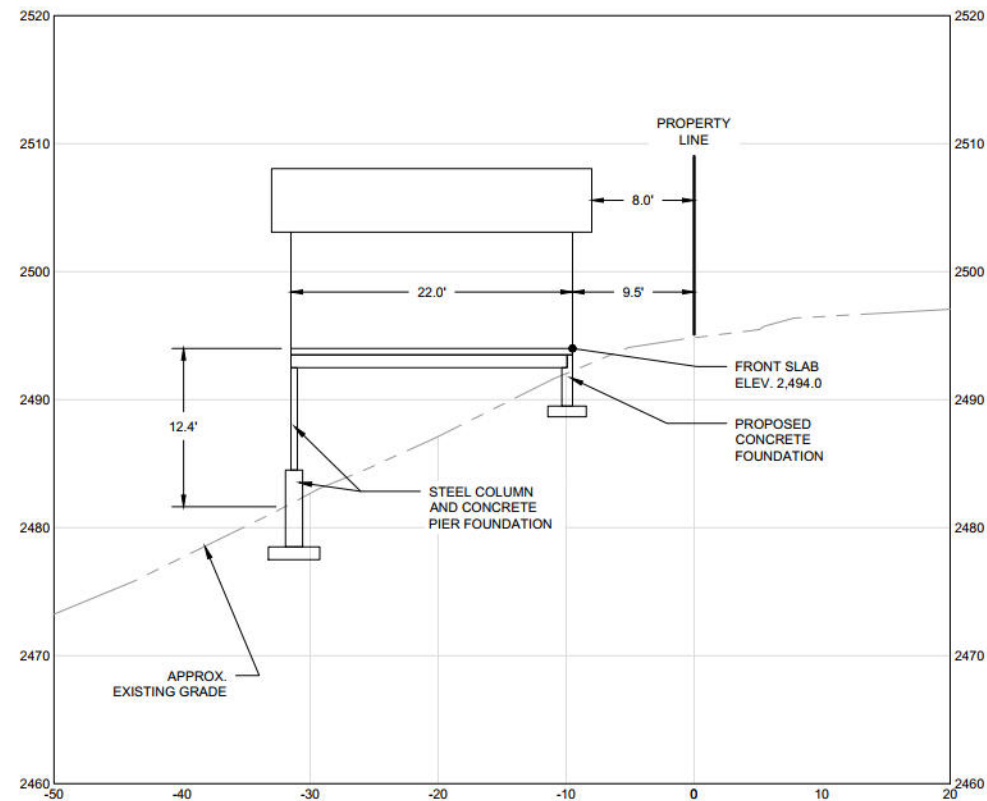
6 X 6 COLUMN, TYP AS SHOWN

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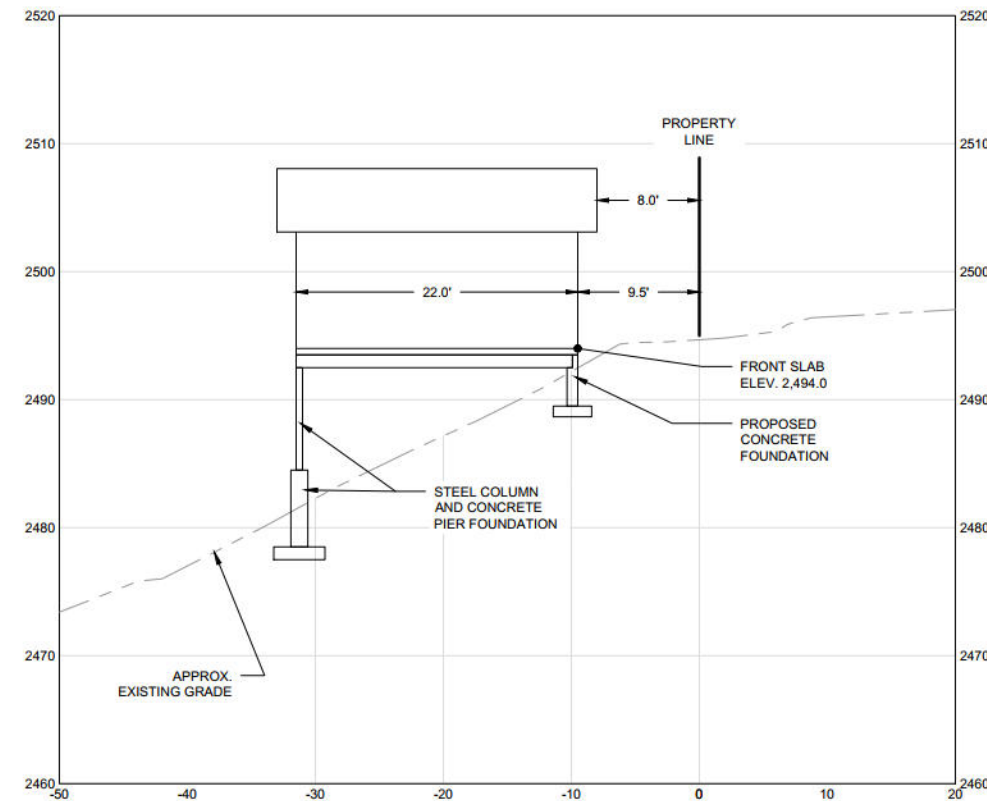
STEEL COLUMN

STEEL COLUMN

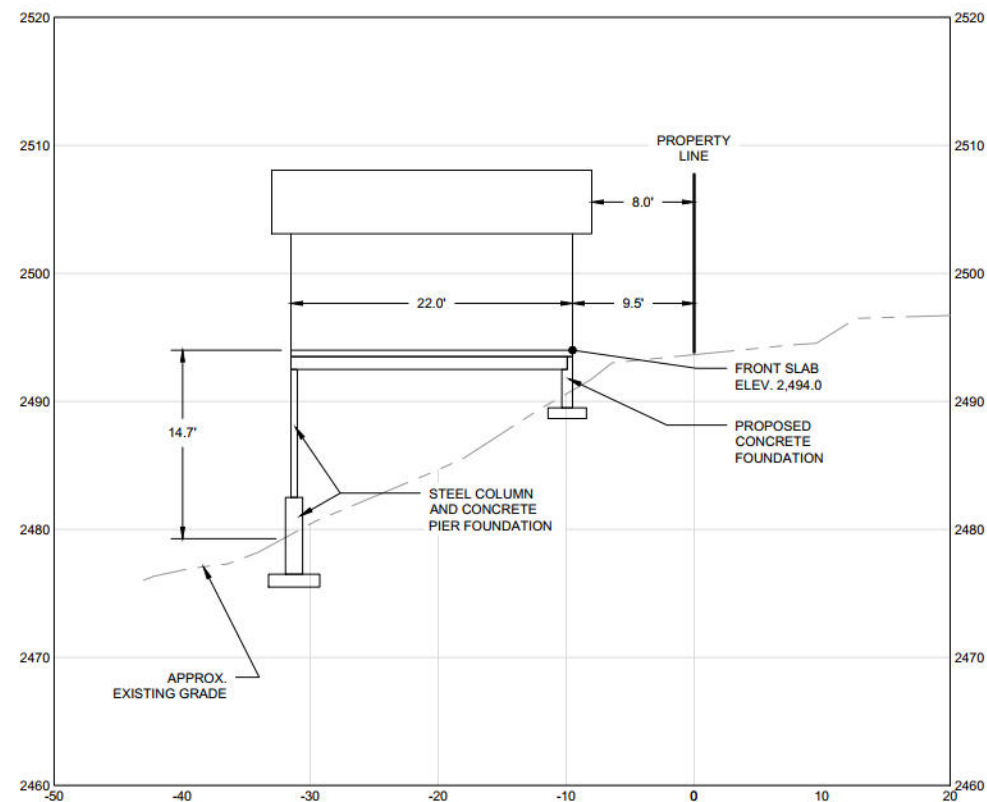
22'



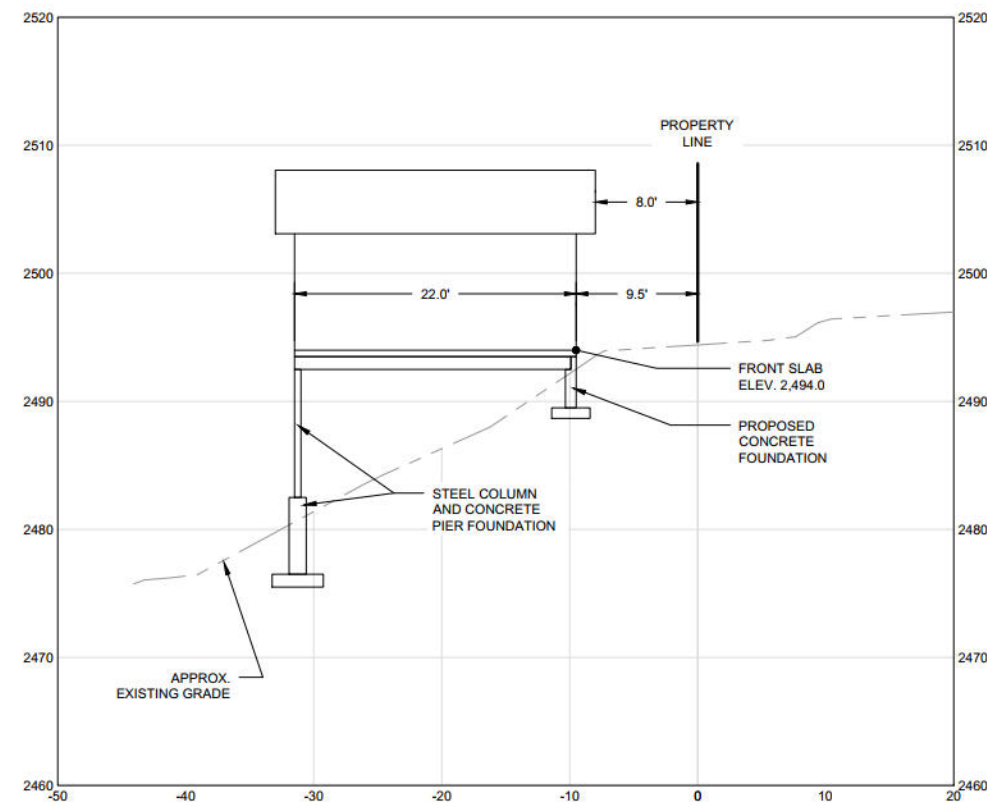
SOUTH ELEVATION



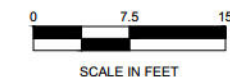
INTERMEDIATE SECTION



NORTH ELEVATION



INTERMEDIATE SECTION



4.1 SCHEMATIC SITE SECTIONS
SCALE: AS SHOWN



NO.	REVISION	DATE	DRNCHK

James A. Sewell and Associates, LLC
1319 NORTH DIVISION AVENUE
SANDPOINT, IDAHO 83864
(208) 263-4160

BUILDING SECTIONS
PROJECT: SMITH RES. AT SHERWOOD BEACH
GARAGE VARIANCE DRAWINGS
BONNER COUNTY, IDAHO

SHEET TITLE: BUILDING SECTIONS
DATE: 09-08-2025
SCALE: AS SHOWN
DESIGNED: JPJ
DRAWN: JPJ
CHECKED: PJG
PROJ NO.: 19617-24-001
CAD FILE: E-Smith Skyslad.dwg

SHEET 5 OF 5

Digitally Signed by: Jeff Jensen, P.E.
Contact Info: jjensen@jasewell.com
Date: 10/20/2025 8:24:55 AM









