

BONNER COUNTY PLANNING DEPARTMENT BOARD OF COUNTY COMMISSIONERS STAFF REPORT FOR OCTOBER 22, 2025



Project Name: Vacation of a Portion of Fairview Boulevard, a public right-of-way

File Number: VS0003-25

Type: Title 40 – Vacation of a Right-of-Way

Request: The applicant is requesting to vacate a portion of Fairview Boulevard.

Legal Description: See attached stamped legal description (Appendix B).

Location: Fairview Blvd. is east of S. Meadowdale Ave. which is east of S. Slate Ave and south of Highway 41 in Cedar Park Addition, Oldtown, Idaho

Parcel Number: Adjacent to parcels RP00049004001A, RP00049007022CA, RPN0049007022CA, RP0049001001CA, and RPN0049001019AA

Parcel Size: Approximately 0.4-acres to be vacated

Applicant: Larry & Cheryl Anton
[REDACTED]
Rathdrum, ID 83858

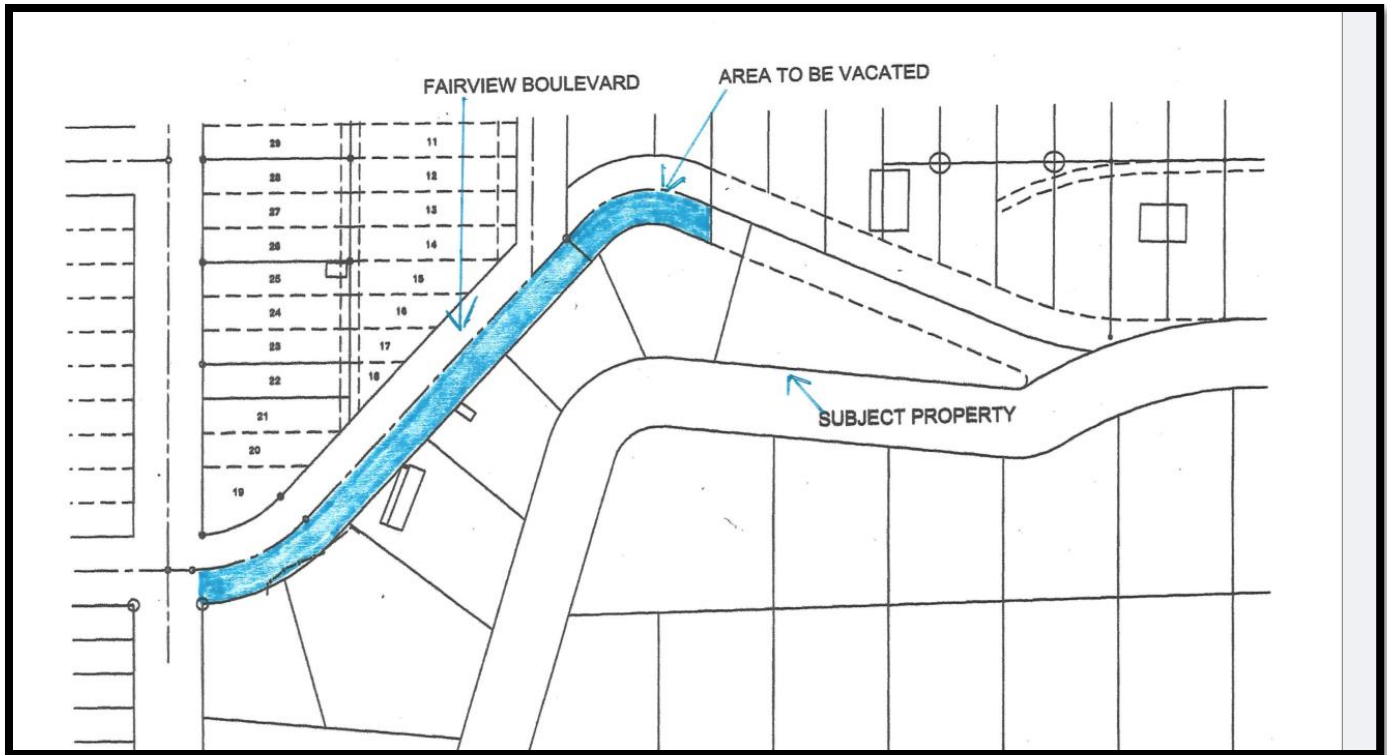
Project Representative: N/A

Property owners: N/A

Petition filed: May 1, 2025

Notice provided: Mailed: September 23, 2025
Published in newspaper: September 23, October 8, and October 15, 2025.

Appendices: Appendix A – Public Notice to Agencies
Appendix B – Agency Comments
Appendix C – Legal Description of ROW requested to be Vacated



Project Summary:

The applicant is seeking to vacate a portion of Fairview Boulevard, a public right-of-way. The follow lots are adjacent to the right-of-way, RP00049004001A, RP00049007022CA, RPN0049007022CA, RP0049001001CA, and RPN0049001019AA, generally located in Section 25, Township 56 North, 6 West, Boise-Meridian, Idaho.

Applicable Laws:

The following sections of Idaho Code apply to this petition:

- Idaho Code, Title 40, Highways and Bridges Chapter 2, General Provisions
- Idaho Code, §40-203 Abandonment and Vacation of County and Highway District System Highways or Public Rights-Of-Way

Background:

A. Site data:

Area to be Vacated: Approximately 0.4-acres

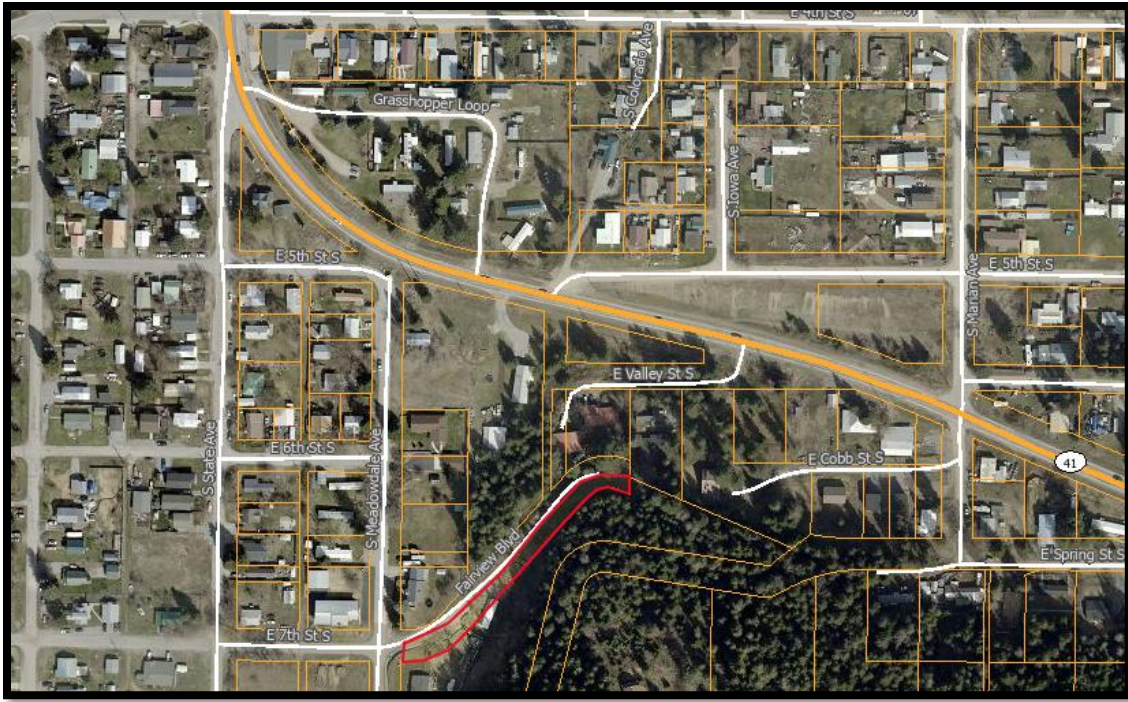
Portion of Proposed Width of Area to be Vacated: 30 feet wide.

Portion of Proposed Length of Area to be Vacated: Approximately 570 feet.

Structures: A portion of a structure is within proposed vacation area.

B. Access:

Fairview Blvd. is east of S. Meadowdale Ave. which is east of S. Slate Ave and south of Highway 41 in Oldtown, Idaho.

**C. Environmental factors:**

Hydrologic Features: N/A

Flood Hazard Zone: Area to be vacated and adjacent parcels are within SFHA Zone X per FIRM Panel Number 16017C0850E, Effective Date 11/18/2009. This is not a proposal for development as defined in BCRC Title 14. No further floodplain review is required on this proposal.

Wetlands: The area proposed to be vacated does not contain any mapped wetland.

Slope: The area proposed to be vacated has mapped slopes of 0- $\geq$ 30%.

Soils:

1. Bonner silt loam, cool, 0 to 4 percent slopes; All Areas are Prime Farmland.
2. Typic-Xerothents, 30 to 65 percent slopes, Not prime farmland.

D. Services:

Fire: West Pend Oreille Fire District

Schools: West Bonner County School District #83

E. Standards review:

Required:

- Compliance with Idaho Code §40-203, Abandonment and Vacation of County and Highway District System Highways or Public Rights-Of-Way:
 - *The commissioners may by resolution declare their intention to abandon and vacate any highway or public right-of-way, or to reclassify a public highway as a public right-of-way, where doing so is in the public interest.*

Provided:

- Per the applicant's narrative:

"We are requesting you vacate this Right-of-Way so we can meet the setback requirement and obtain a Location Permit. As it is now we can't meet the requirement because of the topography and layout of the lot."

F. Agency Review:

Agencies and taxing districts were notified of this request on July 22, 2025. A comprehensive list of the agencies and taxing districts that were notified of this request is in the attached Appendix A.

The following agencies provided comment:

- Bonner County Road and Bridge Department
- Idaho Department of Environmental Quality

The following agencies replied "No Comment":

- Idaho Department of Water Resources
- Kootenai Ponderay Sewer District
- Idaho Department of Fish and Game

All other agencies did not reply.

G. Public Notice & Comments

As of the date of this report, no public comments have been received.

Staff Analysis:

The statutory sections referenced below were found to be applicable during staff's review of the particular facts and circumstances as they relate to the proposed vacation.

- Idaho Code §40-203(1) sets forth the procedures for the hearing and consideration of the petition:

The commissioners may by resolution declare their intention to abandon and vacate any highway or public right-of-way, or to reclassify a public highway as a public right-of-way, where doing so is in the public interest.

Staff: Staff received feedback from Bonner County Road & Bridge that in support the proposed vacation of the portion of Fairview Boulevard. **SEE ROAD & BRIDGE COMMENTS FOR DETAILS**

- Idaho Code §40-203(2):

No highway or public right-of-way or parts thereof shall be abandoned and vacated so as to leave any real property adjoining the highway or public right-of-way without access to an established highway or public right-of-way. The burden of proof shall be on the impacted property owner to establish this fact.

Staff: Based on materials submitted in this application, no real property adjoining the area to be vacated would be left without access to an established highway or public right-of-way. This portion of Fairview Boulevard has not been developed.

- Idaho Code §40-203(3):

In the event of abandonment and vacation, rights-of-way or easements shall be reserved for the continued use of existing sewer, gas, water, or similar pipelines and appurtenances, or other underground facilities as defined in section 55-2202, Idaho Code, for ditches or canals and appurtenances, and for electric, telephone and similar lines and appurtenances.

Staff: Vacation of this right-of-way will not extinguish any rights-of-way or easements for the continued use of existing sewer, gas, water, or similar pipelines and appurtenances, or other underground facilities as defined in section 55-2202, Idaho Code, for ditches or canals and appurtenances, and for electric, telephone and similar lines and appurtenances. Any utilities located in the proposed vacated portion shall be granted easements by the applicant accordingly. **SEE CONDITION B-3.**

- Idaho Code §40-203(4)(a)(b)(c):

(a) When a county or highway district is to consider the abandonment or vacation of any highway, public street or public right-of-way that was accepted as part of a recorded platted subdivision, such abandonment shall be accomplished pursuant to the provisions of this section.

Staff: This section of the state code is applicable to the proposed vacation request. The portion of Fairview Boulevard that is requested for vacation is a public right-of-way was accepted as a part of the "Map of Town of Cedar Park Idaho" plat, recorded on March 17, 1908.

(b) When a county or highway district is to consider the abandonment or vacation of any highway, public street, or public right-of-way that was accepted as part of a platted subdivision that has never been improved or developed, such vacation or abandonment may be approved through the dedication of a new highway, public street, or public right-of-way without compensation as set forth in subsection (1)(i) of this section.

Staff: The right-of-way Fairview Boulevard appears to be partially developed with hard surface materials for ±200 feet on the western end of the road, beyond that point

going northeast the right of way appears to be a narrow strip of dirt that is being used for accessed by one (1) structure that is addressed on East Valley Street and not Fairview Boulevard. The northern portion of the right-of-way appears to be within the boundaries of the City of Oldtown, Idaho.

(c) When a county is to consider the abandonment or vacation of any private right-of-way that was accepted as part of a recorded platted subdivision, said abandonment or vacation shall be accomplished pursuant to the provisions of chapter 13, title 50, Idaho Code."

Staff: This provision does not apply to this project, as no private right of way is proposed to be vacated.

- Idaho Code §40-203(5) In any proceeding under this section or section 40-203A, Idaho Code, or in any judicial proceeding determining the public status or width of a highway or public right-of-way, a highway or public right-of-way shall be deemed abandoned if the evidence shows:
 - (a) That said highway or public right-of-way was created solely by a particular type of common law dedication, such as a dedication based upon a plat or other document that was not recorded in the official records of an Idaho county;

Staff: Fairview Boulevard was recorded on March 17, 1908, "Map of Town of Cedar Park Idaho", Book 1, Page 100.

- (b) That said highway or public right-of-way is not located on land owned by the United States or the state of Idaho nor on land entirely surrounded by land owned by the United States or the state of Idaho nor does it provide the only means of access to such public lands;

Staff: Properties surrounding this request are all privately owned. The portion being requested to be vacated is within the jurisdiction of Bonner County. The northern portion of the right-of-way is within the jurisdiction of the City of Oldtown, Idaho. The right-of-way Fairview Boulevard appears to be partially developed with hard surface materials for ±200 feet on the western end of the road, beyond that point going northeast the right of way appears to be a narrow strip of dirt that is being used for accessed by one (1) structure that is addressed on East Valley Street and not Fairview Boulevard. The northern portion of the right-of-way appears to be within the boundaries of the City of Oldtown, Idaho.

- (c)(i) That said highway or public right-of-way has not been used by the public and has not been maintained at the expense of the public in at least three (3) years during the previous fifteen (15) years; or

Staff: Based on aerial imagery it appears that the applicant has used Fairview Boulevard within the past three years. The only structure addressed on the road belongs to the applicant. There is no evidence in the record indicating that Bonner County Road & Bridge Department has maintained the right of way.

- (ii) Said highway or right-of-way was never constructed and at least twenty (20) years have elapsed since the common law dedication.

Staff: Fairview Boulevard was first dedicated in 1908. Unknown at this time is if the right of way was ever constructed to meet any standards. However, based on imagery dating back to 2018 the right of way does not appear to be constructed to public or private road standard.

- Idaho Code §40-203(6):

All other highways or public rights-of-way may be abandoned and vacated only upon a formal determination by the commissioners pursuant to this section that retaining the highway or public right-of-way for use by the public is not in the public interest, and such other highways or public rights-of-way may be validated or judicially determined at any time notwithstanding any other provision of law. Provided that any abandonment under this section shall be subject to and limited by the provisions of subsections (2) and (3) of this section.

Planner's Initials: DB **Date:** October 15, 2025

Note: The final decision rests with the governing body after the completion of the public hearing and consideration of all relevant oral and written testimony and evidence.

Motion by the Governing Body:

BOARD OF COMMISSIONERS

MOTION TO APPROVE: I move to approve this petition, FILE VS0003-25, to vacate a portion of Fairview Boulevard as identified in Appendix C of the Staff Report, finding that it is in accord with Idaho Code §40-203 as enumerated in the foregoing conclusions of law

Conclusion 1

This proposal was reviewed for compliance with the vacation criteria and standards set forth at Idaho Code, 40-203.

Conclusion 2

Bonner County **has / has not** received objections to the petition or application to vacate the described area.

Conclusion 3

The abandonment of the public right-of-way **is** in the public interest.

Conclusion 4

The landowner or landowners abutting said right-of-way **do** have access to his, her or their property from some other public street, public right-of-way or private road.

Conclusion 5

By granting this petition for vacation of public right of way, real property adjoining the subject highway or public right of way **will not** be left without access to an established highway or public right of way.

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 findings of fact and conclusions of law as set forth in the Staff Report (or as amended during this meeting) and direct planning staff to draft written findings and conclusions to reflect this motion and transmit to all interested parties. The action that could be taken to obtain the vacation is to complete the Conditions of Approval as adopted. This action does not result in a taking of private property.

MOTION TO DENY: I move to deny this petition, FILE VS0003-25, to vacate a portion of Fairview Boulevard as identified in Appendix C of the Staff Report, based upon the following conclusions:

Conclusion 1

This proposal **was** reviewed for compliance with the vacation criteria and standards set forth at Idaho Code, 40-203.

Conclusion 2

Bonner County **has** received objections to the petition or application to vacate the described area.

Conclusion 3

The abandonment of the public right-of-way **is / is not** in the public interest.

Conclusion 4

The landowner or landowners abutting said right-of-way **do / do not** have access to his, her or their property from some other public street, public right-of-way or private road.

Conclusion 5

By granting this petition for vacation of public right of way, real property adjoining the subject highway or public right of way **will/ will not** be left without access to an established highway or public right of way.

The 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 findings of fact and conclusions of law as set forth in the Staff Report (or as amended during this meeting) and direct planning staff to draft written findings and conclusions of law to reflect this motion 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 vacation is to:

- 1) File a new petition with the Planning Department and meet the standards required by Idaho Code; or
- 2) Pursue such remedies as may be applicable at Idaho Code, Title 40, Chapter 2.

Findings of Fact:

- The applicant is seeking to vacate a portion of Fairview Boulevard, a public right-of-way, which is adjacent to parcels RP00049004001A, RP00049007022CA, RPN0049007022CA, RP0049001001CA, and RPN0049001019AA.
- The applicant is requesting to vacate approximately 0.4 acres of an existing Right-of-Way, per the legal description provided by the applicant.
- Based on materials submitted in this application, real property adjoining the area to be vacated will not be left without access to an established highway or public right-of-way.
- Bonner County Road & Bridge Department is in support of this vacation as proposed.
- No written public comments opposing the proposed vacation have been received.
- Vacation of this right-of-way will not extinguish any rights-of-way or easements for the continued use of existing sewer, gas, water, or similar pipelines and appurtenances, or other underground facilities as defined in section 55-2202, Idaho Code, for ditches or canals and appurtenances, and for electric, telephone and similar lines and appurtenances.
- Evidence in the record appears to show that this public right-of-way is not abandoned.

Proposed Conditions of Approval:

- A-1** The above-described right-of-way vacation shall be effective upon the recording of a resolution by the Bonner County Commissioners granting the vacation.

Conditions to be Met Prior to Recording of the Resolution:

- B-1** The costs for legal advertisements and recording fees shall be borne by the applicant and shall be paid.
- B-2** The petitioner shall provide easements for continued use of any existing sewer, gas, water, or similar pipelines and appurtenances, or other underground facilities as defined in section 55-2202, Idaho Code, for ditches or canals and appurtenances, and for electric, telephone and similar lines and appurtenances pursuant to Idaho Code §40-203(3).

The complete file is available for review in the Planning Department, 1500 Highway 2, Suite #208, Sandpoint, ID. Staff reports are available online prior to the hearing at www.bonnercountyid.gov Bonner County Revised Code (BCRC) is available at the Planning Department or online.

APPENDIX A-RECORD OF MAILING

RECORD OF MAILING

Page 1 of 1

File No.: VS0003-25

Record of Mailing Approved By:

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



Dylan Young, Hearing Coordinator

Assessor - Email

Bay Drive Recreation District - Email

Bonner County Airport Manager - Email

Bonner County EMS - Email

Bonner County Road & Bridge - Email

Bottle Bay Water & Sewer District - Email

City of Dover - Email

City of Hope - Email

City of Oldtown - Email

City of Priest River - Email

City of Spirit Lake - Email

Coolin-Cavanaugh Bay Fire District - Email

East Bonner Library - Email

Ellisport Bay Sewer - Email

GEM STATE MINER - U.S. Mail

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

State Historical Society - Email

Syringa Heights Water Association - Email

Timber Lake Fire District - Email

U.S. Army Corps of Engineers - Email

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

West Bonner County School District, #83 - Email

West Bonner Water & Sewer District - Email

West Priest Lake Fire District - Email

APPENDIX B-AGENCY COMMENTS



Janna Brown <janna.brown@bonnercountyid.gov>

Re: Bonner County Planning - File VS0003-25 Agency Review

1 message

Matt Mulder <matt.mulder@bonnercountyid.gov>

Fri, Sep 26, 2025 at 9:56 AM

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

Cc: Jason Topp <jason.topp@bonnercountyid.gov>, Bryan Quayle <quaylelanduseconsulting@gmail.com>

The Road & Bridge Department is in support of this vacation request. The road is split down the middle with the north half being within the incorporated boundaries of the City of Oldtown. The south half is unincorporated Bonner County jurisdiction. This road continued further to the east in the past to provide looped connectivity, but that eastern portion was previously vacated, making this remnant of limited use to the public.

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

On Tue, Sep 23, 2025 at 9:12 AM Bonner County Planning Department <planning@bonnercountyid.gov> wrote:

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.

Dylan Young

Bonner County Planning Department
Hearing Coordinator
208-265-1458

Now Live: Apply for Your Building Location Permit Online!

We're making building easier! You can now apply for your **Building Location Permit** quickly and securely through our **new citizen online portal**, available 24/7 from the comfort of your home or office. You can also apply on one of the kiosks provided in the Planning Department office, located in the County Administrative Building, Suite 208.

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Upload documents directly

Online Application Guide

Visit <https://bonnercountyid-energovweb.tylerhost.net/apps/selfservice#/home> **to get started today!**

Effective July 1, 2025, all Building Location Permits must be applied for through the online citizen portal and we will no longer be accepting applications sent via email or printed paper applications. Have questions? Call 208-265-1458, our team is ready to help.

Build smarter. Apply online.



Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] RE: Bonner County Planning - File VS0003-25 Agency Review

1 message

DEQ Comments <deqcomments@deq.idaho.gov>

Thu, Oct 9, 2025 at 2:14 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: Tuesday, September 23, 2025 9:13 AM

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

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

Cc: Alexander Feyen <alexander.feyen@bonnercountyid.gov>

Subject: Bonner County Planning - File VS0003-25 Agency Review

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.

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.

Dylan Young

Bonner County Planning Department

Hearing Coordinator

208-265-1458

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Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] RE: Bonner County Planning - File VS0003-25 Agency Review

1 message

Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>
To: Bonner County Planning Department <planning@bonnercountyid.gov>

Wed, Oct 8, 2025 at 11:56 AM

Hi Dylan,

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: Tuesday, September 23, 2025 9:13 AM

To: Alan Brinkmeier <alan.brinkmeier@bonnercountyid.gov>; Amber Burgess <clerk@ebsewerdistrict.com>; Army Corps of Engineers <CENWW-RD-CDA@usace.army.mil>; Avista Copr - Jay West <jay.west@avistacorp.com>; Avista Corp - Peggy George <peggy.george@avistacorp.com>; Becky Meyer <becky.meyer@lposd.org>; Bill Berg <billb@bbsewer.org>; Bonner County Assessors <assessorsgroup@bonnercountyid.gov>; BONNER COUNTY HISTORICAL SOCIETY AND MUSEUM <DIRECTOR@bonnercountyhistory.org>; Bonner County Solid Waste <solidwaste@bonnercountyid.gov>;

Brenna Garro <Brenna.Garro@oer.idaho.gov>; Bryan Quayle <quaylelanduseconsulting@gmail.com>; Carrol Stejer <CASTEJER@gmail.com>; Chief Debbie Carpenter <chief@spiritlakefire.com>; City of Clark Fork <city@clarkforkidaho.org>; City of Dover <cityclerk@cityofdoveridaho.org>; City of East Hope Franck <easthope.city@gmail.com>; City of Hope <hopecityclerk@gmail.com>; City of Kootenai <cityclerk@cityofkootenai.org>; City of Oldtown <cityofoldtown@hotmail.com>; City of Priest River <layers@priestriver-id.gov>; City of Sandpoint Planning <cityplanning@sandpointidaho.gov>; cityclerk@spiritlakeid.gov; Clark Fork Fire Department <firedept@clarkforkidaho.org>; Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>; Coolin-Cavanaugh Bay Fire Protection District <coolinfirechief@gmail.com>; Craig Hill <craighill@hillsresort.com>; D1Permits <D1Permits@itd.idaho.gov>; dbrown@idl.idaho.gov; Dan Scholz <dan.scholz@nli.coop>; Dave Schuck <dave.schuck@bonnercountyid.gov>; Dean Davis <deandavis@sd83.org>; East Bonner Library <Amanda@ebonnerlibrary.org>; East Priest Lake Fire District <eastpriestlakefd@gmail.com>; Erik Sjoquist <esjoquist@idl.idaho.gov>; Federal Aviation Administration <Heather.pate@faa.gov>; Frankie Dunn <frankiejdunn@hotmail.com>; Fritz Broschet <outletbaysewer@gmail.com>; Garfield Bay Water and Sewer District Clerk <garfieldbaywsd@hotmail.com>; Gavin Gilcrease <ggilcrease@sandpointidaho.gov>; Dan Everhart <Dan.Everhart@ishs.idaho.gov>; DEQ Comments <deqcomments@deq.idaho.gov>; Independent Hwy Dist - Julie Bishop <ihdclerk@gmail.com>; Robert Beachler <robert.beachler@itd.idaho.gov>; ITD - Stacy Simkins <stacy.simkins@itd.idaho.gov>; Jack Schenck <Jack.schenck@vyvebb.com>; Jamie Brown <jamieb@inlandpower.com>; Janice Best <janicesb@televar.com>; Jason Johnson <jason.johnson@bonnercountyid.gov>; Jason Kimberling <jason.kimberling@itd.idaho.gov>; Jeff Lindsey <jeff.lindsey@bonnercountyid.gov>; Jessie Roe <BWSD637@gmail.com>; joekren@sd83.org; Jordan Brooks <coolinsewer@gmail.com>; Karen Quenell <kquenell@northsidefire.org>; KayLeigh Miller <klmiller@ponderay.org>; kbsd sewer <kbsdpl@hotmail.com>; Ken Flint <ken_flint@tcenergy.com>; Kenny Huston <kenny.huston@oer.idaho.gov>; Kim Hoodenpyle <kjh5345@gmail.com>; Kim Spacek <kimspacek@sd83.org>; Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>; Laclede Water District <info@lacedewaterdistrict.org>; Lakeland Joint School District #272 <cpursley@lakeland272.org>; Lisa Rosa <hr@ebonnerlibrary.org>; Bates, Luke <Luke.Bates@idwr.idaho.gov>; Matt Diel <matt.diel@lposd.org>; Horsmon, Merritt <merritt.horsmon@idfg.idaho.gov>; Midas Water <midaswatercorp@gmail.com>; Mike Ahmer <mahmer@idl.idaho.gov>; Natural Resource Conservation Service - Greg Becker <greg.becker@id.usda.gov>; Navy - Glynis Casey <glynis.casey@navy.mil>; North of the Narrows Fire District <northofthenarrowsfire@gmail.com>; Northern Info <northerninfo@idwr.idaho.gov>; Northern Lights <kristin.mettke@nli.coop>; Northern Lights - Clint Brewing <clint.brewington@nli.coop>; Northside Water and Syringa Heights Water Association <allwater49@outlook.com>; Oden Water Association - Carla Poelstra <odenwater@gmail.com>; Pend Oreille Hospital District <kim.kichenmaster@bonnergeneral.org>; PHD <EApplications@phd1.idaho.gov>; Priest Lake Public Library District <plplibrary@hotmail.com>; Richard Hash <Rich.hash2022@gmail.com>; Road & Bridge - Matt Mulder <matt.mulder@bonnercountyid.gov>; Ryan Zandhuisen <rzandhuisen@idl.idaho.gov>; Sagle Valley Water and Sewer District <saglewatersewer@gmail.com>; Sagle Valley Water & Sewer District <markc@smartplugs.com>; Sam Owen Fire Rescue Sam Owen Fire Rescue <sofd@wow-tel.net>; Sam Ross <sam.ross@nli.coop>; Sarah Gilmore <sgilmore@sandpointidaho.gov>; School District 84 Transportation - James Koehler <james.koehler@lposd.org>; SCHWEITZER FIRE DISTRICT <SchweitzerFireDistrict@gmail.com>; Selkirk Association of Realtors <danielle@selkirkaor.com>; Selkirk Recreation District <elgar@whoi.edu>; Sheryl Austin <granitereeder@gmail.com>; SOURDOUGH POINT OWNERS ASSOCIATION <sourdoughpoint@hotmail.com>; Southside Water and Sewer <southsidewaterandsewer@swsdidaho.org>; Steve Elgar <selgar@mac.com>; Superintendent School Dist 84 <kelly.fisher@lposd.org>; Symone.legg@itd.idaho.gov; TC Energy / TransCanada <US_crossings@tcenergy.com>; Teresa Decker <Huckleberryhoa@gmail.com>; Teresa Decker <huckbayutilities01@gmail.com>; Teresa Zamora <utilities@stoneridgeidaho.com>; Theresa Wheat <theresa@kootenai.org>; Tim Ventress <chventresswplvfd@hotmail.com>; Timberlake Fire District <Kwright@timberlakefire.com>; Tom Renzi <eplfdchief@gmail.com>; US Fish & Wildlife Services <fw1idahoconsultationrequests@fws.gov>; meagan <meagan@westbonnerlibrary.org>; West Pend Oreille Fire District <wpofd1@gmail.com>

Cc: Alexander Feyen <alexander.feyen@bonnercountyid.gov>

Subject: Bonner County Planning - File VS0003-25 Agency Review

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.

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.

Dylan Young

Bonner County Planning Department

Hearing Coordinator

208-265-1458

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Janna Brown <janna.brown@bonnercountyid.gov>

[EXT SENDER] RE: Bonner County Planning - File VS0003-25 Agency Review

1 message

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

Tue, Sep 23, 2025 at 10:39 AM

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

REF: VS0003-25

TO: Dylan Young – Bonner County Planning Department Hearing Coordinator

Good morning.

Idaho Department of Water Resources (IDWR) – Northern Regional Office has no comments related to VS0003-25.

Thank you for the opportunity to comment,

**From:** Bonner County Planning Department <planning@bonnercountyid.gov>**Sent:** Tuesday, September 23, 2025 9:13 AM

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

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

Cc: Alexander Feyen <alexander.feyen@bonnercountyid.gov>

Subject: Bonner County Planning - File VS0003-25 Agency Review

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Dylan Young

Bonner County Planning Department

Hearing Coordinator

208-265-1458

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 **Bates_ Luke.vcf**
2K



Janna Brown <janna.brown@bonnercountyid.gov>

file VS0003-25 Vacation of ROW

1 message

'Colleen Johnson' via Mail-Planning <planning@bonnercountyid.gov>
Reply-To: Colleen Johnson <CJohnson@kootenaiponderaysewerdistrict.org>
To: Bonner County Planning <planning@bonnercountyid.gov>

Tue, Sep 23, 2025 at 3:36 PM

Good Afternoon:

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

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”



 **25_09_BC_VS003_25_Vacation.pdf**
97K

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 **23rd** day of **September 2025**.

Dylan Young

Dylan Young, Hearing Coordinator

This notice was mailed to political subdivisions, property owners within 300 feet of the subject property, and the media on **Tuesday, September 23, 2025**.

NOTICE IS HEREBY GIVEN that the Bonner County Commissioners will hold a public hearing at **1:30 pm** on **Wednesday, October 22, 2025** in the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, by Zoom teleconference, and YouTube Livestream to consider the following request:

File VS0003-25 - Title 40- Vacation of Public Right-of-Way

The applicant is requesting to vacate the south half of Fairview Boulevard, a Bonner County owned public right-of-way, recorded in Book 1 of Plats, page 74. The area proposed to be vacated is approximately 0.45-acres. The project site is located on Fairview Boulevard in Section 26, Township 56 North, Range 6 West, Boise-Meridian. The proposal is located within West Pend Oreille Fire District.

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

Kootenai-Ponderay Sewer District

Date

9/23/25

Out of District Boundaries

NOTICE OF PUBLIC HEARING



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Dylan Young

Dylan Young, Hearing Coordinator

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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

Kootenai-Ponderay Sewer District

Date

9/23/25

Out of District Boundaries

APPENDIX C - LEGAL DESCRIPTION OF PROPOSED VACATED AREA

EXHIBIT A

RIGHT-OF-WAY LEGAL DESCRIPTION

APRIL 14, 2025

A TRACT OF LAND, LOCATED IN SECTION 25, TOWNSHIP 56 NORTH, RANGE 6 WEST, BOISE MERIDIAN, BONNER COUNTY, IDAHO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH HALF OF FAIRVIEW BOULEVARD, BEING 30 FEET WIDE LYING EASTERLY OF THE WEST LINE OF BLOCK 4, EXTENDED NORTH PER PLAT OF CEDAR PARK RECORDED IN BOOK 1 OF PLATS, PAGE 74 AND EXTENDING EASTERLY AND NORHTEASTERLY TO THE EASTERLY LINE OF LOT 22, BLOCK 7 THEROF, EXTENDED SOUTH.

SAID PARCEL CONTAINS APPROXIMATELY 0.40 ACRES.

