



## 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

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April 10, 2026

Sean & Desislava Schneider  
5678 Hwy 2  
Priest River, ID 83856

Subj: File V0001-26 – Variance – Street Setback

Appendices: (A) File V0001-26 Zoning Commission Approved Site Plan  
(B) Land Use Decision-Making Worksheet  
(C) File V0001-26 Staff Report

Dear Applicant,

The Bonner County Zoning Commission APPROVED the referenced application with conditions.

Commissioner Pound moved to approve this request FILE V0001-26, for a Variance to the setback standards to allow for a 15-foot street setback, where 25 feet is required, for the construction of a new shop, 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 not** apply generally to other properties in the same zone or vicinity, which conditions are a result of lot size, shape, topography, or other circumstances over which the applicant has no control.

### Conclusion 2

Special conditions and circumstances **did not** result from the actions of the applicant.

### Conclusion 3

The granting of the variance **is not** in conflict with the public interest in that it **will not** be detrimental to the public health, safety, or welfare, but **is** materially injurious to properties or improvements in the vicinity of the subject parcel or lot. Materially injurious to property shall be mitigated with modifications to the roof preventing snow sliding. (Ord. 559, 142017)

This 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.

Commissioner Mauk seconded the motion.

**Voted** upon and the Chair declared the Motion passed, unanimously.

**CONDITIONS OF APPROVAL:**

**A-1.** Only the development highlighted on the site plan has been reviewed for variance standards. All other development shown must comply with Bonner County Revised Code.

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

**A-3.** An approved Stormwater Management Plan may be required.

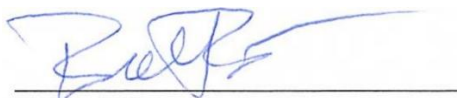
**A-4.** A Building Location Permit shall be obtained.

Bonner County Revised Code, Section 12-262, provides an opportunity for affected persons to appeal Hearing Examiner decisions with the Planning Director within 28 days after the final written decision of the Hearing Examiner has been issued. Any such appeal must be submitted in accordance with the referenced code section no later than **5:00 p.m., May 8, 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,

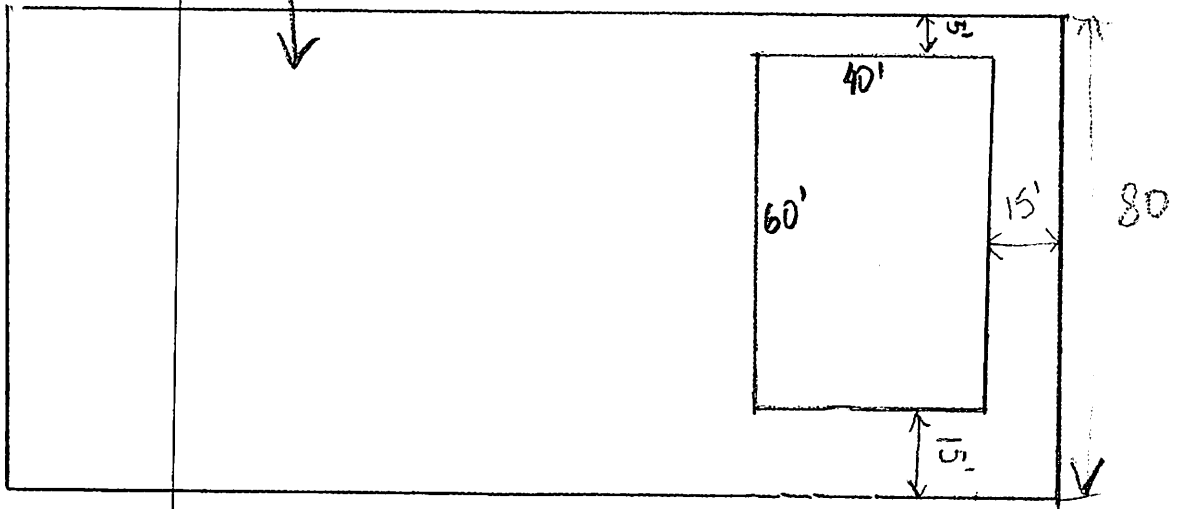


Brett Blaser, Vice Chair  
Bonner County Zoning Commission

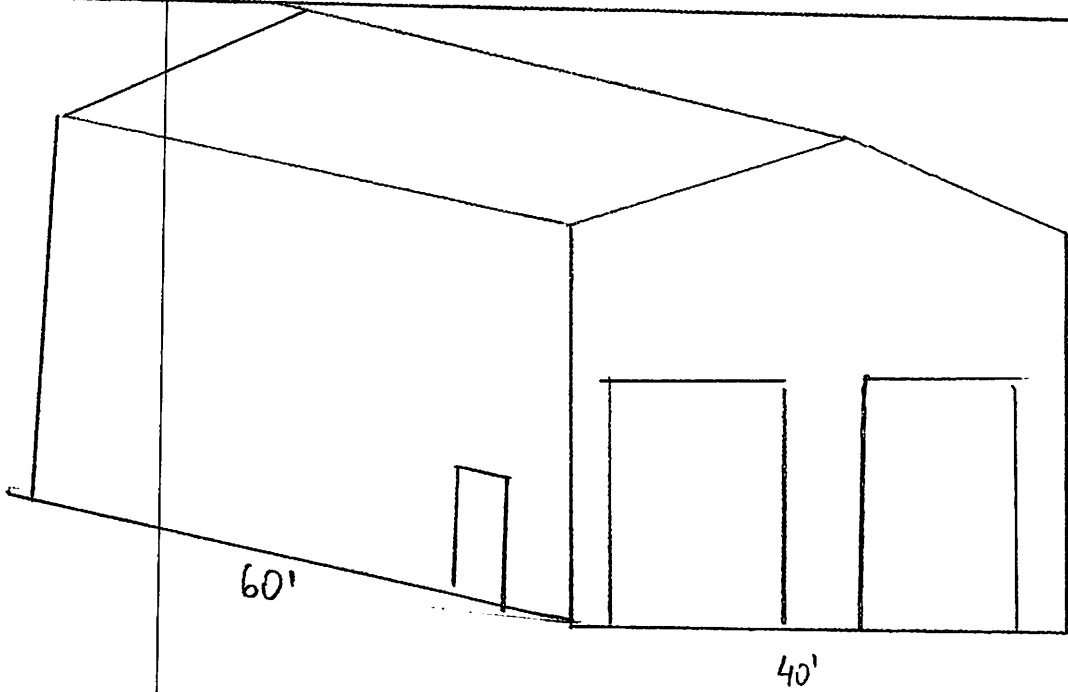
**Appendix A: File V0001-26 Hearing Zoning Commission Approved Site Plan**

431 S Iowa Ave

S. Iowa Ave



E 5<sup>th</sup> St S, Oldtown Idaho



✓ APPROVED

*[Handwritten signature]*

E. 5<sup>th</sup> St. S.

## **Appendix B: Land Use Decision-Making Worksheet**



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## LAND USE DECISION-MAKING WORKSHEET VARIANCE

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

### STANDARDS FOR REVIEW:

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

<p><b>Idaho Code §67-6516</b></p>	<p>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.</p>
<p>YES</p>	<p>List the relevant evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.</p>
<p><b><i>The Board adopted the findings of the Staff Report, and found that there is a clear hardship, the lot was platted in 1907-1908, and the conditions were at no fault of the applicant. They further found that current setbacks make almost half of the lot unbuildable, and that the current setback was established in 2020, and prior to this, the 15-foot setback would have been the standard.</i></b></p>	
<p><b>BCRC 12-232</b></p>	<p><b>GENERAL PROVISIONS</b></p>
<p>YES</p>	<p>List the evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.</p>

***The Board found that there were no conflicts with this code section, and adopted the findings of the Staff Report.***

**BCRC 12-233 APPLICATION, CONTENTS**

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

***The Board adopted the findings of the Staff Report, noting that the Staff Report did not indicate any missing materials, and no additional information had been requested.***

**BCRC 12-234 (A) VARIANCES, STANDARDS FOR REVIEW OF APPLICATIONS**

Conditions apply to the property that do not apply generally to other properties in the same zone or vicinity, which conditions are a result of lot size, shape, topography, or other circumstances over which the applicant has no control.

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

***The Board adopted the Findings of the Staff Report, and found that the lot was on a corner, with double setback restraints.***

**BCRC 12-234 (B)** Special conditions and circumstances do not result from the actions of the applicant.

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

***The Board adopted the findings of the Staff Report, and determined that the conditions of this parcel were at no cause of the applicant.***

**BCRC 12-234 (C)** The granting of the variance is not in conflict with the public interest in that it will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity of the subject parcel or lot.

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

***The Board adopted the findings of the Staff Report, noting that this parcel is accessed off a dead end road, the structure does not impede traffic or vision, and is similar to other properties and requests in the area.***

**BCRC 12-7.2 GRADING, STORMWATER MANAGEMENT AND EROSION CONTROL**

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

***The Board found that there was no conflict with Stormwater requirements, and adopted the findings of the Staff Report, noting that a Stormwater Management Plan may be required at the time of a Building Location Permit.***

## **Appendix C: V0001-26 Staff Report**