Bonner County Planning Department

"Protecting property rights and enhancing property value"

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Premier Quality Development
3465 S Walkers Bay Rd
Coeur d'Alene, ID 83814

October 26, 2026

Re: Premier Quality Development Variance #V0021-26

To Applicant

I, Allan Songstad Hearing Examiner, hereby approve this request FILE V0021-26, for a Variance to the setback standards to allow for a 10-foot street setback along Timber Grove Lane and 15 feet on the South Idaho Club Dr. as depicted on the site plan in the staff report, where 25 feet is required, for a new single-family dwelling, 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/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 adopt the reasoned statement as discussed in deliberation at this hearing and as set forth in the Land Use Decision-Making Worksheet stipulated in Idaho Code §67-6535, and adopt the analysis as presented in the Staff Report.

This action does not result in a taking of private property.

Note: 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.

This variance shall not supersede any deed restrictions.

Bonner County Revised Code, Section 12-262, provides an opportunity for affected persons to appeal Hearing Examiner decisions within 28 days after the written decision of the Hearing Examiner has been issued. An appeal must be accompanied with a filing fee in accordance with the approved fee schedule.

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.

Please contact the Planning Department if you have any questions.

Allan Songstad
Hearing Examiner

Bonner County Planning Department

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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.

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.
YESx	NO	List the relevant evidence from the record that supports your conclusion and the rationale for the conclusion.
Bonner County has an ordinance consistent with this code section.		

BCRC 12-232		**GENERAL PROVISIONS** A variance is a modification of the bulk and placement requirements of this title as to lot or parcel size, lot coverage, width, depth, setbacks, parking space size, or other provisions of this title affecting the size or shape of a structure or the placement of a structure upon a lot or parcel, or the size of the lot or parcel.
YESx	NO	List the evidence from the record that supports your conclusion and the rationale for the conclusion.

This application is for a variance as defined.

BCRC 12-233		**APPLICATION, CONTENTS**
YESx	NO	List the evidence from the record that supports your conclusion and the rationale for the conclusion.

The application is complete.

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.
YESx	NO	List the evidence from the record that supports your conclusion and the rationale for the conclusion.

The subject lot is unique, in that it has two streets circling it on 3 sides. One of the streets is a cul-de-sac, creating a curved property line on the north side of the lot. The overall distance of the lot lines is 514.08 feet, with 394.49 feet being subject to a 25 foot street setback. This accounts for 76.7% of the lot border. When these setbacks are added together, this removes approximately 61% of the lot from the buildable area (see the figure below).

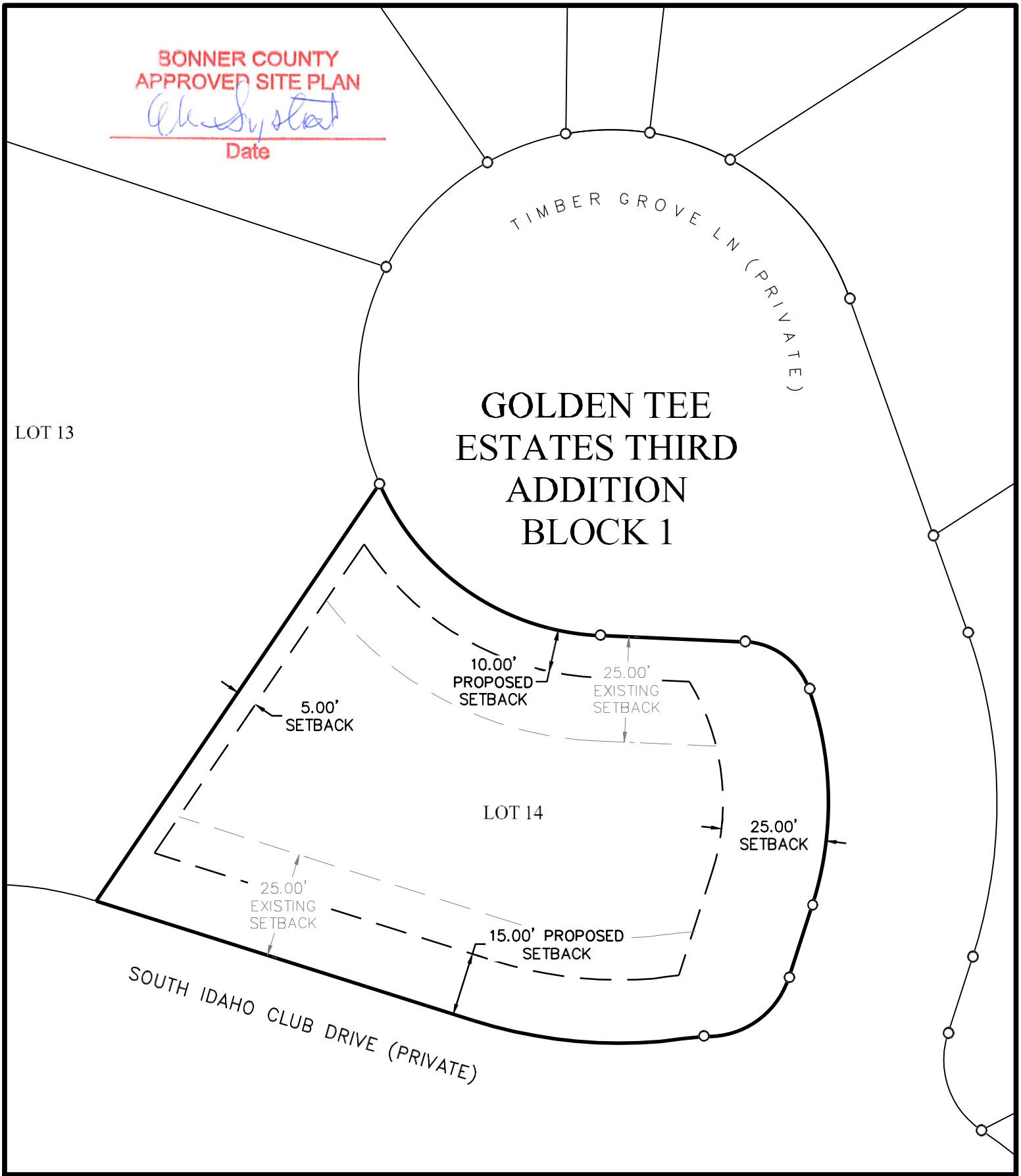
BCRC 12-234 (B)		Special conditions and circumstances do not result from the actions of the applicant.
YESx	NO	List the evidence from the record that supports your conclusion and the rationale for the conclusion.

The subject lot was created with the Plat of Golden Tee Estates – 3rd Addition, recorded on October 6, 2006, under Instrument #714753. The applicant purchased the subject parcel in its current configuration in July 2022, under Instrument # 1008128. The applicant did not have anything to do with the design or creation of the subject lot, or its restraints and

conditions. The applicant has not developed or changed the lot since purchase. Based upon the evidence this lot is ideally suited for 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.
YESx	NO	List the evidence from the record that supports your conclusion and the rationale for the conclusion.
This application does not appear to be in conflict with the public interest, in that the lot is restricted on three sides by rights-of-way, and prior to the recording of Ordinance 606 on 7/14/2020, two of these sides would have been considered side yard flanking street setbacks, and subject to a 15-foot setback. At the time the lot was created, the current setback constraints did not exist. These reduced setbacks existed for corner lots, and lots such as the subject lot; the code changed for simplicity of application. Avista Utilities was the only public agency to respond and addressed a 5-foot setback to their facilities along the roadway. An approved 10-foot setback would be in compliance with their setback standards as well. One public comment was received in opposition to this request.		

BONNER COUNTY
APPROVED SITE PLAN

Date



SETBACK VARIANCE EXHIBIT

SECTION 2, TOWNSHIP 57 NORTH, RANGE 1 WEST,
BOISE MERIDIAN, BONNER COUNTY, IDAHO

DATE SURVEYED: N/A	DRAFTED BY: ERH	PLOT DATE: 7/27/2026	SHEET 1/1
FILE NAME: 22-135	CHECKED BY: CJJ	PROJECT No.: 22-135	

Johnson Surveying
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