

**BONNER COUNTY PLANNING DEPARTMENT
HEARING EXAMINER
STAFF REPORT FOR AUGUST 27, 2026**



Project Name: **Gaudet – Shoreline Setback**

File Number,Type: **FILE #V0006-26**

Request: The applicant is requesting a 0' shoreline setback where 40' is required and a 50% bulk increase for the purposes of reconstructing and adding on to an existing grandfathered cabin.

Legal Description: 21-56N-1W GARFIELD BAY #1 LOTS 7,8,9

Location: The project site is located off West Garfield Bay Road in Section 21, Township 56 North, Range 1 West, Boise-Meridian.

Parcel Number: RP00143000007AA

Parcel Size: 0.904-acres

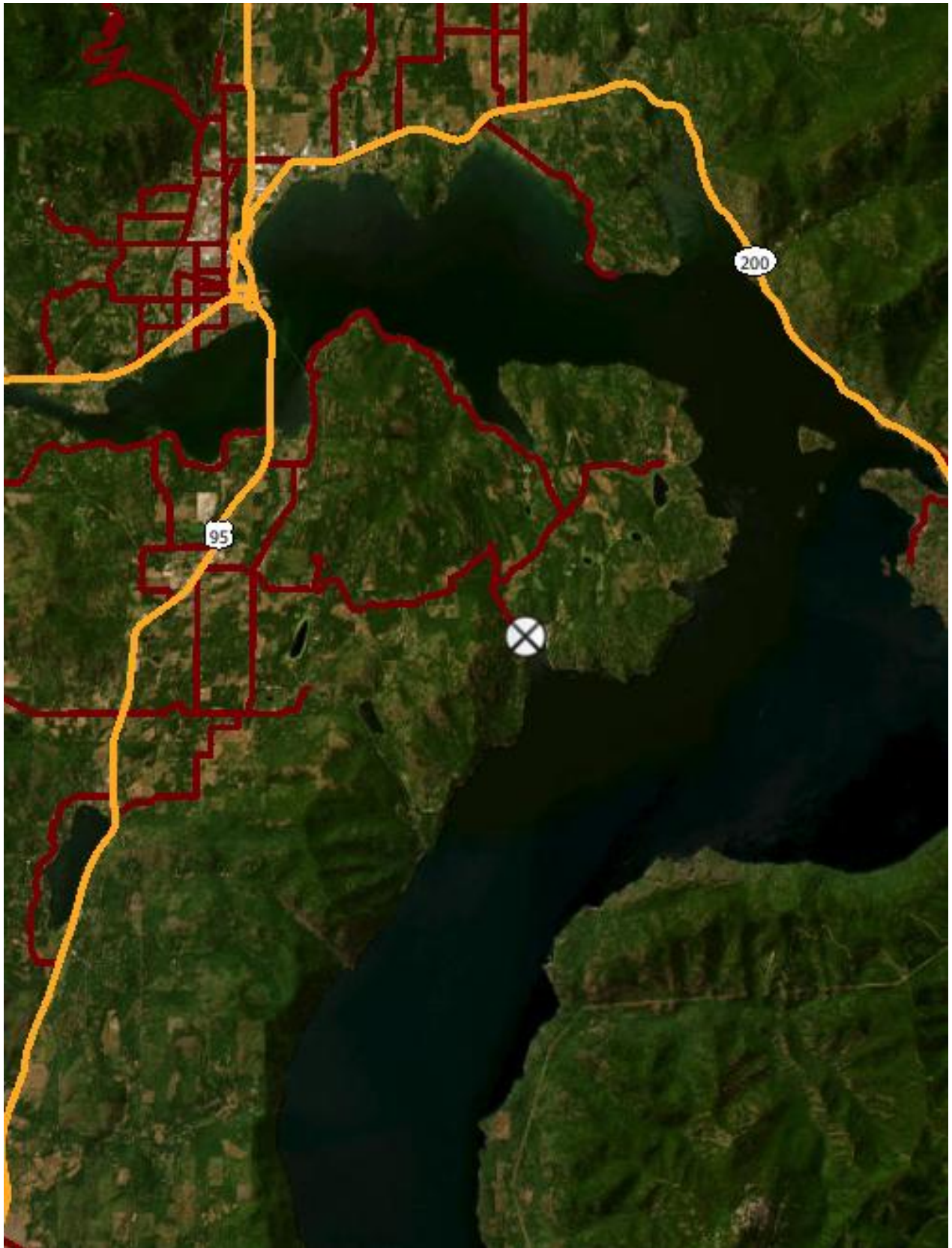
Applicant/Property Owner: Greg Gaudet
[REDACTED]

Application filed: March 23, 2026

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 – Applicant Narrative

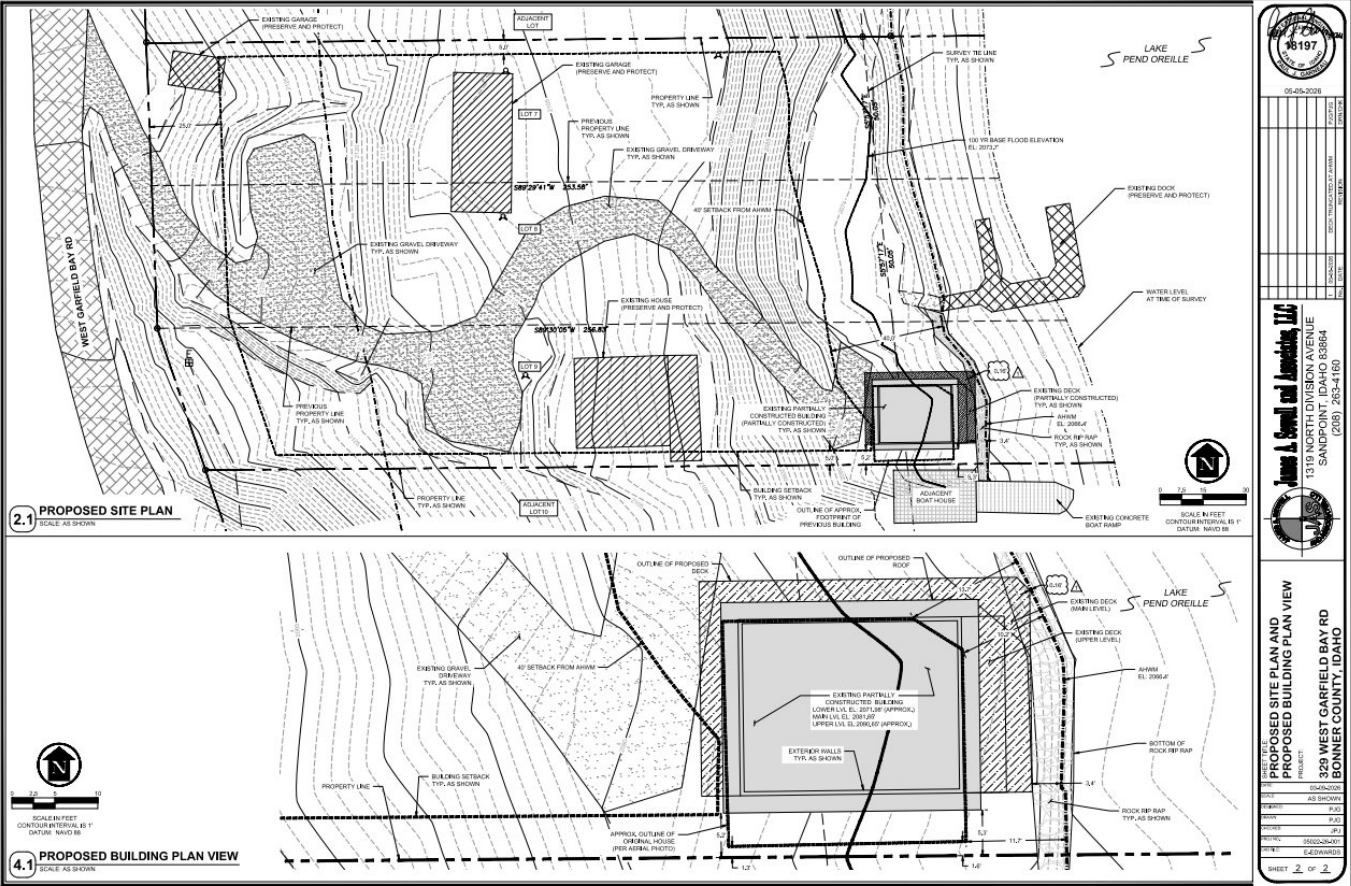
Vicinity Map 1



Vicinity Map 2



Site Plan



GIS Map



Project summary:

The applicant is requesting a 0' shoreline setback where 40' is required and a 50% bulk increase for the purposes of reconstructing and adding on to an existing grandfathered cabin. The 0.904-acre property is zoned Recreation. The project site is located off West Garfield Bay Road in Section 21, Township 56 North, Range 01 West, Boise-Meridian.

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 12-344 Nonconforming Structures
BCRC 12-412, Density and Dimensional Standards; Suburban, Commercial, Industrial, Rural Service Center, Recreation and Alpine Village Zones
BCRC 12-711: Shoreline Setbacks
BCRC 12-7.2, et seq., Grading/erosion/stormwater management
BCRC 12-800 et seq., Definitions

Background:

A. Site data:

Land Use: Residential
Platted, Garfield Bay Addition #1, Lots 7, 8, and 9
Size: 0.904-acres
Zoning Designation: Recreation (Rec)
Comp Plan Designation: Resort Community (<=2.5 AC)

B. Access:

West Garfield Bay Road, a Bonner County owned and maintained public right-of-way.

C. Environmental factors:

Site contains mapped slopes. (USGS)
Site does not contain mapped wetlands. (USFWS)
Site does contain frontage on Lake Pend Oreille.
Parcel is within SFHA Zone D per FIRM Panel Number 16017C0975E, Effective Date 11/18/2009.

D. Services:

- Garfield Bay Water & Sewer
- Fire: Sagle Fire District
- School District: Lake Pend Oreille School District #84

E. Comprehensive Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Land Use & Density
Site	Resort Community (0-2.5 AC)	Recreation (Rec)	Residential, 0.904-acres
North	Resort Community (0-2.5 AC)	Recreation (Rec)	Residential, 0.33-acres
East	Lake Pend Oreille	Lake Pend Oreille	Lake Pend Oreille
South	Resort Community (0-2.5 AC)	Recreation (Rec)	Residential, 0.29-acres
West	Resort Community (0-2.5 AC)	Recreation (Rec)	Residential, 0.601-acres

F. BCRC 12-232, General Provisions

In accordance with BCRC 12-232, the applicant is seeking a 100% variance to shoreline setbacks, and a 50% bulk increase to a non-conforming structure.

G. 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 May 5, 2026.

H. 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: See Appendix C - Applicant Narrative.

Staff: The subject property contains mapped slopes exceeding 30%, which may limit the areas suitable for development and could require additional excavation prior to construction. The applicants propose utilizing the historic location of an existing structure, which is expected to minimize site disturbance and reduce the extent of grading required.

The subject property also includes waterfront along Lake Pend Oreille and lies within a Special Flood Hazard Area Shaded Zone D (SFHA). However, SFHA D does not require a floodplain development permit.

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

Applicant: See Appendix C - Applicant Narrative.

Staff: According to Warranty Deed Instrument No. 569246, the current owner acquired the subject property in August 2000. There is no evidence that the owner has altered the lot's size, shape, or topography since acquiring the property. Assessor records indicate that the cabin was originally constructed in 1943. According to the applicant's narrative, the structure was damaged during a storm and was subsequently condemned. The applicant is requesting this variance to allow continued use of the cabin in its historic location while reconstructing and updating the structure to meet current safety standards and improve its overall functionality.

In January of 2026, a Building Violation, BV2026-0006, was initiated and a stop work order was placed on the property due to construction on the subject cabin without a permit. Subsequently, a variance application was submitted to the planning department.

(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: See Appendix C - Applicant Narrative.

Staff: Both Idaho Department of Fish and Game and Idaho Department of Environmental Quality submitted comments on this proposal expressing the importance of maintaining shoreline setbacks and reducing erosion and sedimentation in waterways (Full comments can be found in Appendix B).

No other comments from the public or any public agency or taxing district were received indicating 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.

I. BCRC 12-344 Nonconforming Structures

Where a lawful structure exists at the effective date of adoption or amendment of this title that could not be built under the terms of this title by reason of restrictions on area, lot coverage, height, yards, its location on the lot, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

A. No such nonconforming structure may be enlarged or altered in any way which increases its nonconformity. Any structure or portion thereof may be altered to decrease its nonconformity.

B. A nonconforming structure or nonconforming portion of a structure destroyed by any means may be reconstructed so long as the reconstruction does not increase its nonconformity and reconstruction occurs within two (2) years of its destruction.

C. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district or zone in which it is located after it is moved.

D. No nonconforming portion of a structure may be enlarged or altered in any way which increases its bulk (such as lot area, open space, yards, lot coverage, height, impervious surface ratios and floor area ratios)

Staff: Per the application narrative and site plan, the subject structure sustained damage from a storm and needed to be reconstructed. The location of the structure was changed, and an additional story and expanded deck is proposed to be built. Based on this information, the structure no longer has a legal nonconforming status and will need an approved variance in order to continue construction.

I. BCRC 12-711: Shoreline Setbacks

Per BCRC 12-711 (A), the shoreline setbacks for Lake Pend Oreille is 40'. This request proposes a deviation from this standard to allow for a 0' shoreline setback.

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

Grading, erosion, and stormwater management concerns will be addressed during the Building Location Permit process upon approval of this variance.

L. Agency Review

Agencies were notified of this project on July 28, 2026. A full list of the agencies notified can be found in the attached Appendix A.

The following agencies commented:

Northern Lights, Inc.
Idaho Department of Fish and Game
Idaho Department of Environmental Quality

The following agencies replied "No Comment":

Panhandle Health District
Kootenai Ponderay Sewer District
Idaho Transportation Department
Idaho Department of Water Resources
Bonneville Power Administration

All other agencies did not reply.

Public Notice & Comments

At the time this Staff Report was prepared, public comments have been received.

Planner's Initials: KS

Date: 8/20/2026

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.

Hearing Examiner

DECISION TO APPROVE: I approve this FILE V0006-26, requesting a 0' shoreline setback where 40' is required and a 50% bulk increase for the purposes of reconstructing and adding on to an existing grandfathered cabin., 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 adopt the reasoned statement as discussed in my 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.

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.

DECISION TO DENY: I deny this request, FILE V0006-26, based upon the following conclusions:

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 adopt the reasoned statement as discussed in my 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 that may be available at Bonner County Revised Code, Title 12, Subchapter 2.6.

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

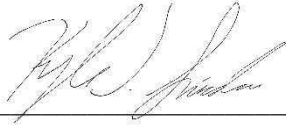
RECORD OF MAILING

Page 1 of 1

File Number: File V0006-26

Record of Mailing Approved By: _____

Hearing Date: 8.27.26



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**.



Maya Johnson, Administrative Assistant III

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: 'Farley,Alynette B (CONTR) - TERR-BELL-1' via Mail-Planning
<planning@bonnercountyid.gov>
Sent: Tuesday, July 28, 2026 2:11 PM
To: Planning
Cc: Farley,Alynette B (CONTR) - TERR-BELL-1
Subject: V0006-26 RE: Request for Review & Comment - Due by August 13, 2026 - File V0006-26
- Bonner County Planning

No Comment, no BPA ROW @ location.

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: Planning <Planning@bonnercountyid.gov>
Sent: Tuesday, July 28, 2026 10:39 AM
To: Planning <Planning@bonnercountyid.gov>
Cc: Jeannie Welter <jeannie.welter@bonnercountyid.gov>; Janna Brown <janna.brown@bonnercountyid.gov>
Subject: Request for Review & Comment - Due by August 13, 2026 - File V0006-26 - 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 13, 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.

Have a wonderful day!

Maya Johnson

Administrative Assistant III
Bonner County Planning Department
1500 Highway 2, Suite 208
Sandpoint, Idaho 83856
Phone: (208) 265-1458 ext. 1277

To unsubscribe from this group and stop receiving emails from it, send an email to planning+unsubscribe@bonnercountyid.gov.

Maya Johnson

From: DEQ Comments <deqcomments@deq.idaho.gov>
Sent: Wednesday, August 12, 2026 10:52 AM
To: Planning
Subject: Re: Request for Review & Comment - Due by August 13, 2026 - File V0006-26 - Bonner County Planning

Follow Up Flag: Follow up
Flag Status: Flagged

Development setbacks from stream banks and lake shorelines are an important tool for protecting water quality. Riparian vegetation provides natural filtration of stormwater runoff and provides numerous other benefits to promote healthy surface water ecology. DEQ recognizes that there are sometimes unique circumstances that may justify reduced setbacks. While an individual variance likely has a relatively small impact on water quality, the cumulative impact of development in close proximity to shorelines and stream banks is a significant threat to water quality. DEQ advises local government planning departments to maintain established setbacks whenever possible. Exceptions should be considered carefully by the local jurisdiction and used only when absolutely necessary to accommodate unique circumstances.

If you have any questions about the comments this project has received please contact:

- Katy Baker-Casile for engineering and wastewater.
- Anna Moody for drinking water.
- Shawn Sweetapple for air quality.
- Kevin Aardahl for remediation or RCRA.
- Robert Steed for surface water and setback requirements.

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 10:39 AM
To: Planning <Planning@bonnercountyid.gov>
Cc: Jeannie Welter <jeannie.welter@bonnercountyid.gov>; Janna Brown <janna.brown@bonnercountyid.gov>
Subject: Request for Review & Comment - Due by August 13, 2026 - File V0006-26 - Bonner County Planning

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Have a wonderful day!

Maya Johnson

Administrative Assistant III
Bonner County Planning Department
1500 Highway 2, Suite 208
Sandpoint, Idaho 83856
Phone: (208) 265-1458 ext. 1277



IDAHO DEPARTMENT OF FISH AND GAME

PANHANDLE REGION

2885 West Kathleen Avenue

Coeur d'Alene, Idaho 83815

Brad Little / Governor
Jim Fredericks / Director

August 12, 2026

Bonner County Planning Department
1500 Highway 2, Suite 208
Sandpoint, ID 83864

REFERENCE: V0006-26 – Shoreline Setback and Bulk Increase

We have reviewed the above request for a variance to shoreline setback to 0 feet where 40 feet is required, and an additional variance for a 50% bulk increase for an existing grandfathered cabin along the shoreline of Lake Pend Oreille. The purpose of these comments is to assist the decision-making authority by providing technical information that can be used to minimize fish and wildlife impacts.

Lake Pend Oreille has a 2002 Idaho Department of Environmental Quality and Environmental Protection Agency approved TMDL (Total Maximum Daily Load) for total phosphorus. It is currently not meeting criteria for the beneficial use of coldwater aquatic life or salmonid spawning.

Bonner County Code (subchapter 7.1) states that the purpose of the shoreline setback chapter is to preserve both the quality and quantity of Bonner County water resources. Additionally, it aims to reduce erosion and sedimentation into waterways. Mitigation for decreased shoreline setback can be in the form of a stormwater and erosion plan, biofiltration swales, or riparian buffers. A native riparian vegetation buffer functions efficiently as a biofiltration agent, and does not require the fertilizers, pesticides, and watering that lawns require. Additionally, riparian vegetation has complex root systems that can withstand increased wave action more effectively than banks that are sparsely vegetated, or grass covered. As proposed, this request would increase the “bulk” within the forty-foot setback by not only width, depth, and an increase in height of the structure, but the actual location of the structure will be over 10 feet closer to the shoreline. Bonner County Code (Subchapter 12-344: Nonconforming Structures) 12-344A specifically states that “no nonconforming portion of a structure may be enlarged or altered in any way which **increases** its nonconformity”. The nonconformity, in this case includes location, height, width and length for a total bulk increase of 50% and 10 feet less shoreline setback. Bonner County Code section 12-344B states that “A nonconforming structure destroyed by any means may be reconstructed so long as the reconstruction **does not increase** its nonconformity” within the current setback area. The applicant is asking this to be considered a “rebuild” of a recently condemned structure that was grandfathered at 10.2 feet from the water, with approximately 726 square foot roof area.

With all the changes occurring to the structure during this “rebuild”, it is difficult to comprehend how this is not considered new construction that is required to adhere to Bonner Counties’ current shoreline setback regulations.

Should this variance be granted, IDFG recommends the following:

- The applicant retains as much of the native vegetation as practicable to maintain a shoreline riparian buffer. A riparian vegetation buffer functions efficiently as a biofiltration agent and does not require the fertilizers, pesticides, and watering that lawns require. Additionally, riparian vegetation has complex root systems that can withstand increased wave action more effectively than banks that are sparsely vegetated or grass covered. Additional native planting would help to ameliorate any negative effects to water quality. This is particularly important due to the steepness of the lot grade.
- Adhering to the most up to date erosion and sedimentation siltation best management practices (BMPs) during construction and maintaining or establishing riparian buffers. One resource to find and evaluate appropriate BMPs is the Idaho DEQ *Idaho Catalog of Storm Water Best Management Practices* available online at <https://www2.deq.idaho.gov/admin/LEIA/api/document/download/14968>
- An approved stormwater plan, prepared by a licensed professional engineer, be implemented.

If variances to Bonner County Code become regularly allowed, we would expect that to lead to modified shorelines, increased nutrient inputs into Lake Pend Oreille, declines in water quality, and subsequent negative effects to the fishery.

Thank you for the opportunity to comment and please don’t hesitate to contact the Panhandle Regional Office with additional questions or continued collaboration. We welcome the opportunity to work further with the county on this and other projects that may affect Idaho’s fish and wildlife.

Thank you for the opportunity to comment.

Sincerely,

Carson Watkins
Panhandle Regional Supervisor

CJW:MH:lat
C: eFile M:\

[EXT SENDER] RE: Request for Review & Comment - Due by August 13, 2026 - File V0006-26 - Bonner County Planning

From planning@bonnercountyid.gov <planning@bonnercountyid.gov>
on behalf of
Bates, Luke <Luke.Bates@idwr.idaho.gov>
Date Wed 7/29/2026 7:33 AM
To Planning <Planning@bonnercountyid.gov>
Cc Jeannie Welter <jeannie.welter@bonnercountyid.gov>; Janna Brown <janna.brown@bonnercountyid.gov>

REF: V0006-26

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 10:39 AM
To: Planning <Planning@bonnercountyid.gov>
Cc: Jeannie Welter <jeannie.welter@bonnercountyid.gov>; Janna Brown <janna.brown@bonnercountyid.gov>
Subject: Request for Review & Comment - Due by August 13, 2026 - File V0006-26 - Bonner County Planning

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Have a wonderful day!

Maya Johnson

Administrative Assistant III
Bonner County Planning Department
1500 Highway 2, Suite 208
Sandpoint, Idaho 83856
Phone: (208) 265-1458 ext. 1277

RE: Request for Review & Comment - Due by August 13, 2026 - File V0006-26 - Bonner County Planning

From Robert Beachler <Robert.Beachler@itd.idaho.gov>
Date Thu 7/30/2026 2:31 PM
To Planning <Planning@bonnercountyid.gov>
Cc Jeannie Welter <jeannie.welter@bonnercountyid.gov>; Janna Brown <janna.brown@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 10:39 AM
To: Planning <Planning@bonnercountyid.gov>
Cc: Jeannie Welter <jeannie.welter@bonnercountyid.gov>; Janna Brown <janna.brown@bonnercountyid.gov>
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[EXT SENDER] Re: Request for Review & Comment - Due by August 13, 2026 - File V0006-26 - Bonner County Planning

From planning@bonnercountyid.gov <planning@bonnercountyid.gov>
on behalf of
Symone Legg <Symone.Legg@itd.idaho.gov>
Date Tue 7/28/2026 12:57 PM
To Planning <Planning@bonnercountyid.gov>
Cc Kimberly Hobson <Kimberly.Hobson@itd.idaho.gov>

ITD Permits has no comment.

Thank you,
Symone Legg | Project Coordinator
Idaho Transportation Department | D1 Traffic
Work: 208.772.8073 | 208.772.1297
Email: symone.legg@itd.idaho.gov | itd.idaho.gov

Enhancing quality of life through transportation

From: Planning <Planning@bonnercountyid.gov>
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To: Planning <Planning@bonnercountyid.gov>
Cc: Jeannie Welter <jeannie.welter@bonnercountyid.gov>; Janna Brown <janna.brown@bonnercountyid.gov>
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Have a wonderful day!

Maya Johnson

Administrative Assistant III
Bonner County Planning Department
1500 Highway 2, Suite 208
Sandpoint, Idaho 83856
Phone: (208) 265-1458 ext. 1277

RE: Request for Review & Comment - Due by August 13, 2026 - File V0006-26 - Bonner County Planning

From 'KPSD Clerk' via Mail-Planning <planning@bonnercountyid.gov>

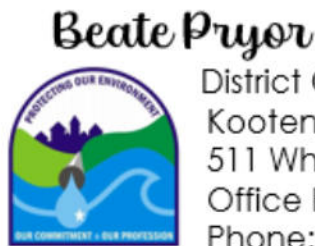
Date Tue 7/28/2026 3:21 PM

To Planning <planning@bonnercountyid.gov>

 1 attachment (257 KB)

2026_07_V0006-26_Variance_ShorelineSetbk.pdf;

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



Beate Pryor

District Clerk

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: Tuesday, July 28, 2026 10:42 AM

To: KPSD Clerk <clerk@kootenaiponderaysewerdistrict.org>

Subject: FW: Request for Review & Comment - Due by August 13, 2026 - File V0006-26 - 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: Planning <Planning@bonnercountyid.gov>

Sent: Tuesday, July 28, 2026 10:39 AM

To: Planning <Planning@bonnercountyid.gov>

Cc: Jeannie Welter <jeannie.welter@bonnercountyid.gov>; Janna Brown <janna.brown@bonnercountyid.gov>

Subject: Request for Review & Comment - Due by August 13, 2026 - File V0006-26 - Bonner County Planning

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Maya Johnson

Administrative Assistant III
Bonner County Planning Department
1500 Highway 2, Suite 208
Sandpoint, Idaho 83856
Phone: (208) 265-1458 ext. 1277



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**.

Maya Johnson, Administrative Assistant III

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 Hearing Examiner will hold a public hearing at **10:00 am** on **Thursday, August 27, 2026**, in the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, by Zoom teleconference, and YouTube Livestream to consider the following requests:

File V0006-26 – Variance – Shoreline Setback: Request for a 0' shoreline setback where 40' is required and a 50% bulk increase for the purposes of reconstructing and adding on to an existing grandfathered cabin. The ≈0.904-acre property is zoned Recreation. The project site is located off West Garfield Bay Road in Section 21, Township 56 North, Range 01 West, Boise-Meridian.

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 August 13, 2026, at 5:00 PM. 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.

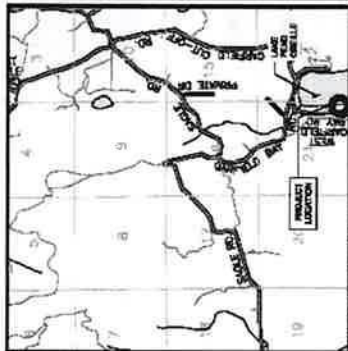
If you have no comment or response, you may indicate below and return this form to the Planning Department.

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

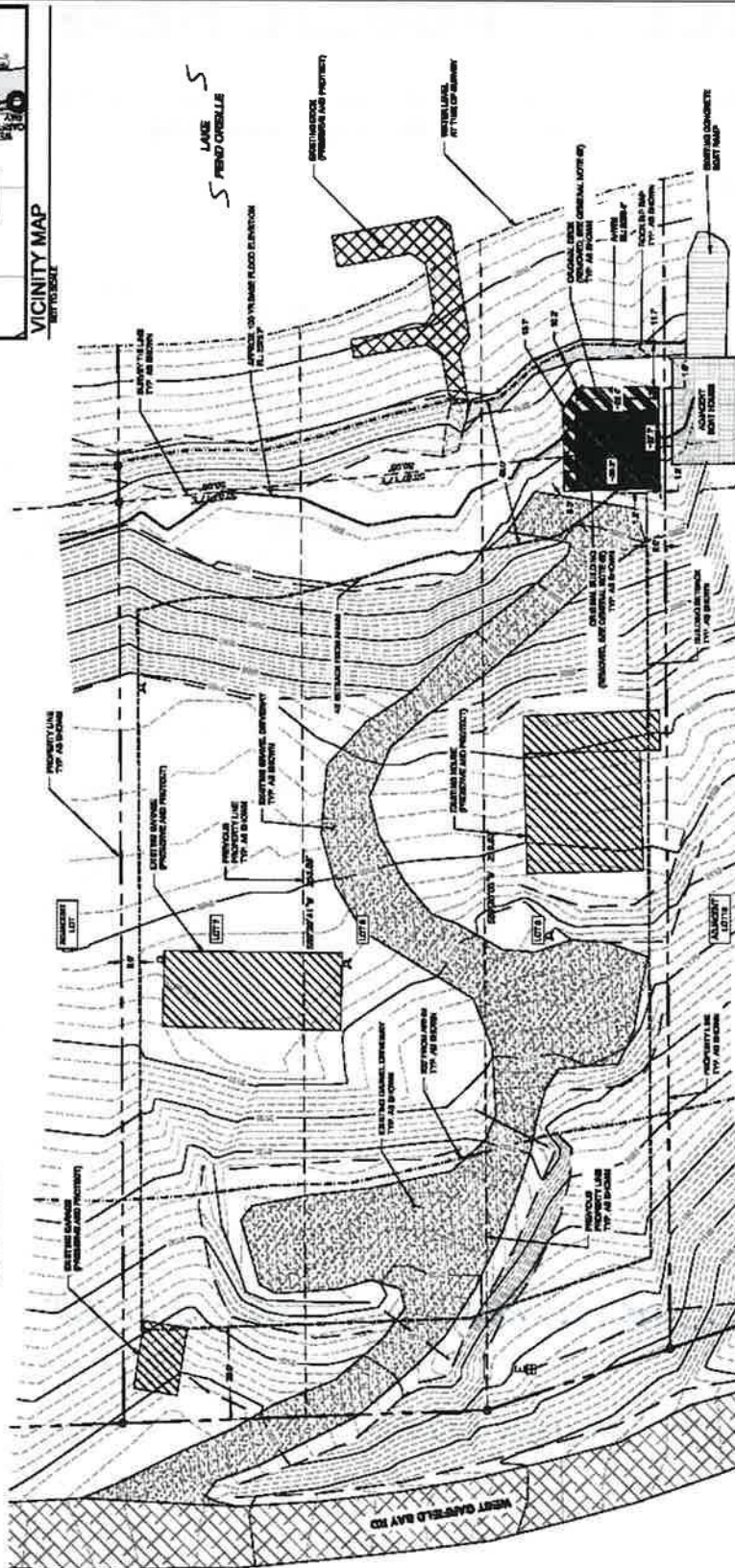
Out of boundaries.

(PARCEL RP00148000007AA, GARFIELD BAY #1, LOTS 7.8.9)
SECTION 21, TOWNSHIP 58 NORTH, RANGE 1 WEST, BOISE MERIDIAN, BONNER COUNTY, IDAHO

blood and safety. In the past, the blood industry has been plagued by a number of problems, including the discovery of HIV and AIDS, the discovery of hepatitis B and C, and the discovery of the blood-borne parasite *Toxoplasma gondii*. These problems have led to a loss of confidence in the blood industry and a decline in blood donations. In order to ensure the safety of the blood supply, the blood industry has implemented a number of measures, including the implementation of a rigorous screening process for blood donors, the implementation of a rigorous testing process for blood products, and the implementation of a rigorous quality control process for blood products. These measures have helped to ensure the safety of the blood supply and have helped to restore confidence in the blood industry.

[illegible][illegible]

VICINITY MAP



4.1 ORIGINAL SITE PLAN

ORIGINAL

ORIGINAL SITE PLAN

328 WEST GARFIELD BAY RD
BONNER COUNTY, IDAHO

1318 NORTH DIVISION AVENUE
SANDPOINT, IDAHO 83864
(208) 263-4160

[illegible]

Maya Johnson

From: Sam Ross <sam.ross@nli.coop>
Sent: Thursday, July 30, 2026 6:56 AM
To: Planning
Cc: Jeannie Welter; Janna Brown
Subject: Re: Request for Review & Comment - Due by August 13, 2026 - File V0006-26 - Bonner County Planning

NLI has reviewed project V0006-26 and is not opposed to the proposed variance. The site is served from an overhead line crossing West Garfield Bay Rd and the proposed setback and bulk increase should not interfere with NLI operations.

Thank you for the opportunity to review and comment—sincerely,

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
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From: Planning <Planning@bonnercountyid.gov>
Sent: Tuesday, July 28, 2026 10:39 AM
To: Planning <Planning@bonnercountyid.gov>
Cc: Jeannie Welter <jeannie.welter@bonnercountyid.gov>; Janna Brown <janna.brown@bonnercountyid.gov>
Subject: Request for Review & Comment - Due by August 13, 2026 - File V0006-26 - 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 13, 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.

Have a wonderful day!

Maya Johnson

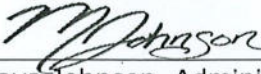
Administrative Assistant III
Bonner County Planning Department
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NOTICE OF PUBLIC HEARING



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Maya Johnson, Administrative Assistant III

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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 Sarah Tonyan - PTH 7/29/26
Name Date
out of jurisdiction

Appendix C – Applicant Narrative

Narrative Statement

1. Describe whether 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. BCRC 12-234(a) Explain why it is not possible to comply with the ordinance standards. Example: A site may have excessive slopes that prevent a structure from meeting the required setbacks.

The existing cabin on the property is a grandfathered structure that was built prior to the current setback requirements. When rebuilding, the structure was shifted approximately seven feet farther away from the property line in order to improve the setback and move it closer to compliance with current standards.

The cabin initially sustained significant storm damage from large fallen trees, which prompted the insurance company to inspect the structure. During that process, it was determined that the cabin had sustained structural damage as a result of the storm. Because of this damage, the insurance company would not insure the structure and considered the cabin to be condemned. Due to the extent of the structural damage caused by the storm, rebuilding was the only feasible option.

The surrounding conditions have also changed since the original cabin was built. A neighboring property constructed a boathouse that now blocks the view that the cabin previously had. Rebuilding the structure with an additional story allows the cabin to regain the views that historically existed from the property.

This property also has a long history dating back to the early 1900s, including the presence of the Midas Inn. Over time, several cabins that once existed on the property have been removed, and there are now only two living structures remaining on the property: the cabin and the small main house.

These conditions are specific to this property and the pre-existing location of the grandfathered cabin, and they limit the ability to fully comply with current ordinance standards.

2. Explain how special conditions and circumstances do not result from the actions of the applicant. BCRC 12-234(b) Example: Did the applicant reduce the size of his/her parcel, thereby creating an "unbuildable" parcel?

Special conditions and circumstances affecting this property were not created by the actions of the applicant. The conditions are the result of the property's long history and the physical characteristics of the site, not any recent changes made by the current owner.

The applicant has not altered the parcel size, created any additional lots, or taken any actions that would create an unbuildable condition. The special circumstances associated with the property are therefore the result of historical development patterns and the long-standing layout of the property, rather than any action taken by the applicant.

3. Explain how granting 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. BCRC 12-234(c) Explain how the proposed use is compatible with adjoining land uses. Example: Will approval of the variance result in a potential obstruction of public access or cause a safety hazard? Are there effects of elements on adjoining property such as noise, light glare, odor, fumes and vibration?

The requested variance will not conflict with the public interest and will not be detrimental to public health, safety, or welfare, nor will it be materially injurious to nearby properties or improvements. The proposed relocation of the cabin and new construction have been discussed with the adjoining neighbors, and both neighboring property owners are in agreement with the plan.

The property is privately owned, and the proposed variance will not obstruct or impact any form of public access. Additionally, the project will not create any safety hazards or adverse impacts such as excessive noise, light glare, odor, fumes, or vibration that would affect surrounding properties.

The proposed use remains residential in nature and is consistent with the existing use of neighboring properties in the area. As such, the project is compatible with adjoining land uses and will not negatively impact the surrounding neighborhood.