



BONNER COUNTY PLANNING DEPARTMENT

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VARIANCE APPLICATION

FOR OFFICE USE ONLY:

FILE # V0018-26

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david.fisher , 7/9/2026, 3:27:04 PM

Public Hearing Required: Yes ☒ No ☐

PROJECT DESCRIPTION:

The applicant is requesting a variance from a (*request will be actual measurement, i.e. a structure is measured at 20 feet from the property line, the request will be 20 feet, where 25 feet is required*):

- | | |
|--|--|
| ☐ Street Setback (___ feet) | ☐ Shoreline Setback (___ feet) |
| ☒ Property Line Setback (0 feet) | ☐ Bulk Increase (Volume) (___ % increase) |
| ☐ Lot and/or Impervious Surface Coverage (___%) | ☐ Lot/Parcel Size Minimum (___ acres) |
| ☐ Depth to Width Ratio (___ :1) | ☐ Other: _____ |

APPLICANT INFORMATION:

Landowner's name: Lawrence B Stone Condos, Llc Attn: Larry Mott

Mailing address: [REDACTED]

City: [REDACTED]

State: WA

Zip code: 99220

Telephone: [REDACTED]

Fax:

E-mail: [REDACTED]

REPRESENTATIVE'S INFORMATION:

Representative's name: Ben McGrann

Company name: Actus Projects

Mailing address: [REDACTED]

City: [REDACTED]

State: ID

Zip code: 83825

Telephone: [REDACTED]

Fax:

E-mail: [REDACTED]

ADDITIONAL APPLICANT/REPRESENTATIVE INFORMATION:

Name/Relationship to project: Evan Verduin, Architect of Record

Company Name: Trek Architecture

Mailing Address: [REDACTED]

City: [REDACTED]

State: WA

Zip Code: 99202

Telephone: [REDACTED]

Fax:

E-mail: [REDACTED]

PARCEL INFORMATION:

Section #: 20	Township: 58 N	Range: 2W	Parcel acreage: 1.83
Parcel # (s): RP04558000010A			
Legal description: 20-58N-2W NORTHERN LIGHTS LOT 1			
Current landowner's name: Lawrence B Stone Condos, Llc			
Current zoning: 515-Land resid rural subdv vac		Current use: vacant	
What zoning districts border the project site?			
North: Alpine Village		East: Alpine Village	
South: Alpine Village		West: Alpine Village	
Comprehensive plan designation: Alpine Community			
Uses of the surrounding land (describe lot sizes, structures, uses):			
North: Schweitzer Creek Condos, 1.48 acres			
South: NW Passage roadway			
East: Boulder Springs Condos, .85 acres			
West: Intersection of NW Passage and Stella Lane			
Within Area of City Impact?: ☐ Yes ☒ No		If yes, which city?:	

NARRATIVE STATEMENT**(ADDITIONAL DOCUMENTATION MAY BE SUBMITTED FOR NARRATIVE STATEMENT, IF NECESSARY):**

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 requested variance is necessary due to unique physical characteristics of the property that are not generally applicable to other properties in the same zoning district or vicinity. Specifically, the site contains steep existing topography adjacent to the property boundary and areas of undocumented fill that were discovered during excavation. These conditions are beyond the applicant's control and were not apparent until geotechnical investigation and earthwork activities were completed.

To construct the proposed building on competent native soils, the undocumented fill must be removed and the building foundation established at suitable bearing elevations. As a result, significant grade transitions are created between the proposed building pad and the adjacent properties. These grade changes require a series of stepped retaining walls to safely retain the surrounding soils and provide long-term slope stability.

The preferred design places the lowest retaining wall at the property line, with additional stepped retaining walls located progressively farther from the property line. This approach minimizes the height of any individual retaining wall, reduces the visual mass of the retaining system, improves constructability, and provides a safer and more stable solution than constructing a single, substantially taller retaining wall outside of the required setback.

Strict compliance with the required setback is not feasible because shifting the retaining wall system inward would require significantly taller retaining walls, increase excavation, reduce the available building pad, and adversely affect the structural stability and functionality of the site. The requested zero-setback variance is therefore the minimum relief necessary to accommodate the site's unique topographic and geotechnical constraints while allowing safe development of the property.

The requested variance is limited solely to the retaining wall location and is not intended to reduce setbacks for the building itself. Granting the variance will not create a special privilege but will allow reasonable use of the property despite physical conditions that are unique to the site and beyond the applicant's control.

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?*

The special conditions affecting this property are not the result of any action by the applicant. The parcel was legally created in its current configuration, and the applicant has not altered the lot size, lot dimensions, or property boundaries in a manner that created the need for the requested variance.

The need for the variance arises from existing site conditions, including the property's natural topography and the presence of undocumented fill encountered during excavation. These conditions existed prior to the applicant's development activities and were outside of the applicant's control. The undocumented fill had to be removed to reach competent native soils capable of supporting the proposed structure in accordance with geotechnical recommendations and applicable building codes.

The requested retaining walls are therefore a direct response to the existing physical characteristics of the property and are necessary to safely develop the site. The applicant did not create these conditions, nor did the applicant undertake any action that resulted in the need for the requested zero-setback variance. The variance is requested solely to address these pre-existing topographic and geotechnical constraints while allowing reasonable use of the property.

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?*

Granting the requested variance will not be detrimental to the public health, safety, or welfare, nor will it be materially injurious to neighboring properties or improvements. The variance applies only to the location of the retaining walls and does not alter the proposed land use, increase the density or intensity of development, or affect public access or circulation.

The retaining walls are being designed by qualified professionals and will be constructed in accordance with the approved geotechnical recommendations, structural engineering requirements, and applicable building codes. The retaining wall system will provide long-term slope stability, reduce the potential for soil movement or erosion, and create a safe condition for both the proposed development and adjacent properties.

The proposed retaining walls will not create noise, light, glare, odor, fumes, vibration, or other impacts that would adversely affect neighboring properties. The walls are a passive site improvement necessary to accommodate the existing topography and will remain entirely within the applicant's property.

The requested zero-setback location is the minimum relief necessary to construct a series of stepped retaining walls that safely manage the site's grade changes. This approach reduces the height and visual mass of each individual wall compared to a single taller retaining wall located farther from the property line. As a result, the proposed design is more compatible with the surrounding area while providing a safer and more aesthetically appropriate solution.

Accordingly, granting the variance is consistent with the public interest, promotes safe site development, and will not adversely affect adjacent properties or the surrounding neighborhood.

ACCESS INFORMATION:

Please check appropriate boxes:

☐ Private Easement
Describe travel surface (e.g., gravel, dirt, paved, etc.), travel way width, road grade and easement width. Include recorded instrument number for existing easements & name, if existing:

☒ Public Road
Describe travel surface (e.g., gravel, dirt, paved, etc.), travel way width, road grade right-of-way width and name, if existing:
Northwest Passage provides primary vehicular access to the site, including emergency service access. The roadway is constructed within an existing public right-of-way and is designed to accommodate two-way traffic.

☐ Combination of Public Road/Private Easement
Describe travel surface (e.g., gravel, dirt, paved, etc.), travel way width, road grade and right-of-way/easement width and road name, if existing:

SITE INFORMATION:

Please provide a detailed description of the following land features:

Topography (lay of the land), including estimated maximum slope, rock outcroppings, benches, etc:
The project site is characterized by moderately steep to steep topography, with the ground generally sloping downward from the proposed building area toward the property boundaries. Existing site grades vary considerably across the parcel, with localized slopes estimated to exceed 30 percent in several areas. These natural grade changes create significant elevation differences across relatively short horizontal distances.

Water courses (lakes, streams, rivers & other bodies of water):
None

Is site within a floodplain? ☐ Yes ☒ No Firm Panel #: _____ Map designation: _____

Springs & wells: None

Existing structures (size & use):
None

Land cover (timber, pastures, etc):

Site has been cleared to prepare for construction. Erosion control measures are in place.

Are wetlands present on site? ☐ Yes ☒ No

Source of information: Site survey

Other pertinent information (attach additional pages if needed):

See attached site plan with requested location of retaining walls.

I hereby certify that all the information, statements, attachments and exhibits submitted herewith are true to the best of my knowledge. I further grant permission to Bonner County employees and representatives, elected or appointed officials to enter upon the subject land to make examinations, post the property or review the premises relative to the processing of this application.

Landowner's signature:

Date: _____

Landowner's signature:

Date: 7.8.26