

**PLANNING DEPARTMENT
PUBLIC HEARING DECISION MINUTES
SEPTEMBER 22, 2021**

CALL TO ORDER: Chair McDonald called the Bonner County Commissioners' hearing to order at 1:30 p.m. in the 3rd floor meeting room, Suite 338 of the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, via Zoom webinar, and YouTube live streaming.

PRESENT: Commissioners Chair Dan McDonald; and Jeff Connolly

ABSENT: Vice Chair Steve Bradshaw

ALSO PRESENT: Planning Director Milton Ollerton; Assistant Planning Director Jacob Gabell; Planner I Swati Rastogi; Planner I Chad Chambers; Planner II Daniel Britt; Administrative Manager Jeannie Welter; and Administrative Assistant III Janna Berard

CHANGES IN AGENDA: The Chair stated MOD0005-21 and VA0015-21 were removed from the Agenda.

PUBLIC HEARINGS:

CALL FOR VISUAL, HEARING OR OTHER IMPAIRMENT REQUIRING ASSISTANCE: The Chair asked whether anyone needed special assistance to hear, see or participate in these proceedings. Hearing no response, the Chair continued with the public hearing.

CONFLICT OF INTEREST/DISCLOSURE DECLARATIONS: The Chair requested the Commissioners declare any conflicts of interest or disclosures. The Chair noted that there were no disclosures or conflicts.

COMPREHENSIVE PLAN TEXT AMENDMENT

File AM0011-21 – Comprehensive Plan Text Amendment – Incorporation of Northside Fire District is requesting a Comprehensive Plan Text Amendment as per Idaho State Code Title 67, Chapter 65 Local Land Use Planning Act soliciting adoption of a Capital Improvements Plan for which development impact fees may be used as a funding source, as per Idaho Statutes Code Title 67, Chapter 82 Idaho Development Impact Fee Act. The Planning & Zoning Commission, at the August 19, 2021 public hearing, recommended approval of this file to the Board of County Commissioners.

STAFF PRESENTATION: Planner I Swati Rastogi presented a PowerPoint summary of the project and previously circulated staff report, concluding this project is consistent with Bonner County Comprehensive Plan.

APPLICANT PRESENTATION: Project Representative Anne Wescott, Galina Consulting explained the dates that were adopted with the cities in the beginning of the project.

PUBLIC/AGENCY TESTIMONY: None

APPLICANT REBUTTAL: None

BOARD DELIBERATION: The Chair closed the hearing to public testimony. The Board discussed Findings and Conclusions.

MOTION: Commissioner Connolly moved to approve this project FILE AM0011-21, to amend the Bonner County Comprehensive Plan for adoption of a Capital Improvements Plan for Northside Fire District, as presented or amended in this hearing, finding that it is in accord with the general and specific objectives of the Bonner County Comprehensive Plan as enumerated in the following findings of fact and conclusions of law, and based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. Commissioner Connolly further moved to adopt the following findings of fact and conclusions of law as written from the date of adoption for ten years. This action does not result in a taking of private property. Stepping down from the chair, Commissioner McDonald seconded the motion.

VOTED upon and the Chair declared the motion carried, unanimously.

Comprehensive Plan Text Resolution Adoption:

Commissioner Connolly moved to approve resolution the number to be assigned amending the Bonner County Comprehensive Plan Text. Stepping down from the chair, Commissioner McDonald seconded the motion.

VOTED upon and the Chair declared the motion carried, unanimously.

Ordinance Motion: Roll Call Vote

MOTION: Commissioner Connolly moved to approve an Ordinance of Bonner County, Idaho, the number to be assigned, citing its authority, and providing for the amendment of the Bonner County Revised Code with the adoption of Title 15: Development Impact Fees, and providing for an effective date. Stepping down from the chair, Commissioner McDonald seconded the motion.

ROLL CALL VOTE

Commissioner McDonald: Aye
Commissioner Connolly: Aye

VOTED upon and the Chair declared the motion carried, unanimously.

Findings of Fact:

1. The Planning and Zoning Commission, per Idaho Code Chapter 65, Title 67, may recommend a zoning ordinance.
2. The Bonner County Planning Department has reviewed the proposed changes against Idaho Code and made amendments to better comply with the Idaho Code, specifically Title 67, Chapters 65 and 82.
3. The Board of County Commissioners is authorized by Idaho Code, Chapter 7, Title 31, to adopt ordinances, rules and regulations "...not repugnant to law, necessary for carrying into effect or discharging the powers and duties conferred by the laws of the state of Idaho, and such as are necessary or proper to provide for the safety, promote the health and prosperity, improve the morals, peace and good order, comfort and convenience of the county and the inhabitants thereof, and for the protection of property therein..."

The proposed amendment of the Comprehensive Plan requesting adoption of Capital Improvements Plan for the Northside Fire District will allow the District to better serve the needs of future growth and development over a duration of ten years without negatively impacting the services provided to the current users. These actions will further balance the provision of safety, health and prosperity while maintaining the protection of property, peace, good order, comfort and convenience of the county and its inhabitants.

Conclusions of Law:

Conclusion 1

The proposed amendments to Title 12 **IS** in accord with Idaho Code, Chapter 7 of Title 31.

Conclusion 2

The proposed amendments to Title 12 **IS** in accord with Idaho Code Chapters 65 and 82 of Title 67.

Conclusion 3

The proposed zone change **IS** in accord with the Bonner County comprehensive plan.

- | | | |
|-----------------------|-------------------------|------------------------------------|
| •Property Rights | •Population | •School Facilities, Transportation |
| •Economic Development | •Land Use | •Natural Resources |
| •Hazardous Areas | •Public Services | •Transportation |
| •Recreation | •Special Areas or Sites | •Housing |
| •Community Design | •Implementation | |

ZONE CHANGE

File ZC0027-21 – Zone Change Request from AF-20 to AF-10 – Gary Spade is requesting a zone change from A/F 20 to A/F 10 on a ≈20-acre parcel. The project is located off Brookside Road and Dinkum Faire in Section 30, Township 55 North, Range 2 West, Boise-Meridian. The Planning & Zoning Commission, at the August 19, 2021 public hearing, recommended approval of this file to the Board of County Commissioners.

CONFLICT OF INTEREST/DISCLOSURE DECLARATIONS: The Chair requested the Commissioners declare any conflicts of interest or disclosures. The Chair noted that there were no disclosures or conflicts.

STAFF PRESENTATION: Planner I Chad Chambers presented a PowerPoint summary of the project and previously circulated staff report, concluding this project is consistent with Bonner County Revised Code.

APPLICANT PRESENTATION: Project Representative Dan Provolt presented information regarding the current zoning and prime farmland definition based on the Bonner County Revised Code.

PUBLIC/AGENCY TESTIMONY: None

APPLICANT REBUTTAL: None

BOARD DELIBERATION: The Chair closed the hearing to public testimony. The Board discussed Findings and Conclusions.

MOTION: Commissioner Connolly moved to approve this project FILE ZC0027-21, zone change from Agricultural/Forestry 20-acre to Agricultural/Forestry 10-acre, finding that it is in accord with the Bonner County Revised Code as enumerated in the following conclusions of law, and based upon the evidence submitted up to the time the Staff Report was prepared, and testimony received at this hearing. Commissioner Connolly further moved to adopt the following findings of facts and conclusions of law as written. The decision is based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. Commissioner Connolly further moved to adopt the findings of fact and conclusions of law as set forth in the Staff Report and direct the Planning Director to transmit this decision to all interested parties. This action does not result in a taking of private property. Stepping down from the chair, Commissioner McDonald seconded the motion.

VOTED upon and the Chair declared the motion carried, unanimously.

Zone Change Ordinance Motion: Roll Call Vote

MOTION: Commissioner Connolly moved to approve an Ordinance of Bonner County, Idaho, the number to be assigned, citing its authority, and providing for the amendment of the Official Zoning Map of Bonner County by the reclassification of lands located in Section 30, Township 55 North, Range 2 West, Boise Meridian, Bonner County, Idaho from Agriculture/Forestry-20 to Agricultural/Forestry-10, and providing for an effective date. Commissioner Connolly further moved to authorize the Chair to sign the official supplementary zoning map upon publication of the ordinance. Stepping down from the chair, Commissioner McDonald seconded the motion.

ROLL CALL VOTE

Commissioner McDonald: Aye
Commissioner Connolly: Aye

VOTED upon and the Chair declared the motion carried, unanimously.

Background:

A. Site data:

- The site is currently used as a residence.
- ≈20-acre parcel
- Zone: Agricultural/Forestry 20
- Land Use: Ag/Forest Land

B. Access:

- Access is provided by Brookside Road and Dinkum Faire, which are neither County owned or maintained.

C. Environmental factors:

- Site does contain mapped slopes. (USGS)
- Site does contain a mapped Freshwater Emergent wetland. (USFWS)
- Site does not contain a river, stream, or frontage on a lake.
- There are three (3) different soil types on the property, Hoodoo silt loam (prime farmland if drained), Pend Oreille silt loam (not prime farmland), and Treble-Rock outcrop (not prime farmland).
- Per CFM JRJ, 7.15.2021: Parcel is within SFHA Zone X and Zone A, per FIRM Panel 16017C1150E, Effective Date 11/18/2009 & FIRM Panel 16017C1175E, Effective Date 11/18/2009. A rezoning application is not a proposal for development, as defined in BCRC Title 14. No further floodplain review is required on this proposal.

D. Services (continued – see page 4):

- Water: individual well
- Sewage: on-site drain field

- Fire: Selkirk Fire, Rescue & EMS
- Power: Northern Lights Inc.
- School District: Bonner School District #84

Soil Type	Farmland Classification	Drainage Class
Hoodoo silt loam (15)	Prime Farmland if drained	Poorly drained
Pend Oreille silt loam (35)	Not prime farmland	Well drained
Treble-Rock outcrop (55)	Not prime farmland	Well drained

E. Comprehensive Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Land Use & Density
Site	Ag/Forest Land	Agricultural/forestry 20	Residential
North	Ag/Forest Land	Agricultural/forestry 20	Residential
East	Ag/Forest Land	Agricultural/forestry 20	Residential
South	Ag/Forest Land	Agricultural/forestry 20	No housing present
West	Ag/Forest Land	Agricultural/forestry 20	Residential

F. Standards of review**12-322: AGRICULTURAL/FORESTRY DISTRICT:**

A. The agricultural/forestry district is established to provide for agricultural and forestry pursuits, including livestock production, forestry, horticulture, floriculture, viticulture, and necessary accessory uses for treating, storing and processing agricultural products. The purpose of the A/F district is to preserve, protect and maintain areas that are rural in character and the integrity of the forest/woodland areas where viable agricultural pursuits can be feasible and to avoid fragmentation of forests and farms. These purposes are accomplished by:

1. Establishing residential density limits and conservation development standards to retain areas sized for efficient farming.
2. Allowing for uses related to agricultural production and limiting nonagricultural uses to those compatible with agriculture, or requiring close proximity for the support of agriculture.

B. Use of this zone is appropriate in areas designated by the comprehensive plan as follows:

1. A/F-20 in all areas designated as prime ag/forest land in the comprehensive plan. The A/F-20 zone is also appropriate in areas designated ag/forest land in the comprehensive plan that also feature:

a. Prime agricultural soils.

- * Two of three soils (Pend Oreille silt loam and Treble-Rock outcrop) on the property are characterized as **not prime farmland**.
- ✓ One soil type, Hoodoo silt loam is characterized as prime farmland, if drained.

b. Are characterized by agricultural or forestry uses.

- * The property has an address which is indicative of a residence. The aerial imagery does show canopy cover, but the property does not appear as though it is being used for agricultural or forestry pursuits.

c. Areas where one or more of the following apply: limited services; characterized by slopes steeper than thirty percent (30%); where access may be absent or limited to substandard road systems or where large tracts of land may be devoted to ag/forest production.

- ✓ There are some slopes 30% or greater on the property, but in general steeper slopes **do not prevail**.

- * The property has adequate access to Highway 95. The nearest property line of the parcel is approximately ≈0.13 miles to HWY-95.

2. A/F-10 in areas designated as ag/forest land in the comprehensive plan that do not feature prime agricultural soils, but where agricultural and forestry pursuits remain viable. These areas may be within or adjacent to areas of city impact or where lands are afforded fire protection, access to standard roads and other services. (Ord. 501, 11-18-2008)

- ✓ Two of the three soils on the property (Pend Oreille silt loam and Treble-Rock outcrop) are characterized as not prime farmland.

- * One soil type, Hoodoo silt loam is characterized as prime farmland, if drained. However, this soil is 'poorly drained' per the drainage classification. Further, it composes approximately 0.38-acres of the 20-acre subject parcel. This equates to around ≈2% of the soil being characterized as prime farmland.

- ✓ The property is afforded fire protection by the Sagle dba Selkirk Fire District.

- ✓ The property has adequate access to a standard road, Highway 95 is approximately 0.13 miles from the entrance/exit of the property's northwestern boundary.

- ✓ The site is served by Northern Lights Inc. and the address on the property is indicative of a business or residence which is likely hooked up to power.

- * The property is not adjacent to or within an area of city impact.

H. Agency Review

The application was routed to agencies for comment on July 20, 2021.

Panhandle Health District	Idaho Department of Water Resources
Sagle Fire dba Selkirk Fire District	U.S. Army Corps (Coeur d'Alene)
Northern Lights Inc.	U.S. Fish and Wildlife Service
Applicable School District #84 or #83	Idaho Department of Lands (Sandpoint)
Bonner County Schools - Transportation	BNSF Railway
Idaho Department of Fish and Game	U.S. Forest Service
Idaho Department of Environmental Quality	(All Taxing Districts)

The following agencies commented:

Idaho Department of Fish and Game - July 28, 2021

"The Idaho Department of Fish and Game does not have any comments to submit for this application."

Idaho Department of Environmental Quality - August 13, 2021

"DEQ has no environmental impact comments at this stage of the project."

All other agencies did not reply.

I. Public Notice & Comments

As of August 12, 2021, no public comments were received for this file.

Findings of Fact

1. The property is situated in the Ag/Forest comprehensive land use designation and is currently zoned Agricultural Forestry 20-acre.
2. The property is located within the Sagle dba Selkirk Fire District, powered by Northern Lights Inc., has an individual well and septic system.
3. There are mapped freshwater emergent wetlands and slopes between 15-29% and 30% or greater on site.
4. There is a dwelling on site, two general purpose buildings and a lean-to.
5. The property contains two soil types, Pend Oreille silt loam and Treble-Rock outcrop, both of which are characterized as **not prime farmland**.

Zone Change Conclusions of Law:

Based upon the findings of fact, the following conclusions of law are adopted:

Conclusion 1

The proposal is in accord with the following elements of the Bonner County Comprehensive Plan:

Property Rights	Population	School Facilities, Transportation
Community Design	Implementation	Economic Development
Land Use	Natural Resources	Hazardous Areas
Public Services	Transportation	Recreation
Special Areas or Sites	Housing	Agriculture

Conclusion 2

This proposal was reviewed for compliance with Title 12, Bonner County Revised Code, and was found to be in compliance.

Conclusion 3

The proposal is in accord with the purpose of the Agricultural/Forestry 10-acre zoning district, provided at Chapter 3, Title 12, Bonner County Revised Code.

VARIANCE

CALL FOR VISUAL, HEARING OR OTHER IMPAIRMENT REQUIRING ASSISTANCE: The Chair asked whether anyone needed special assistance to hear, see or participate in these proceedings. Hearing no response, the Chair continued with the public hearing.

File V0011-21 – Lot Size Minimum Variance – Nick Nicholls is requesting a lot size minimum variance to divide a 5.41-acre parcel into two parcels, one (1) 1.4-acre parcel, and one (1) 4-acre parcel by family exemption. The property is zoned Rural 5. The project is located off Highway 2 in Section 26, Township 57 North, Range 3 West, Boise-Meridian. At the hearing on August 5, 2021, the Bonner County Planning & Zoning Commission denied this project. On August 16, 2021, the Planning Department received an appeal requesting this file be forwarded to the Board of County Commissioners for a de Novo hearing.

CONFLICT OF INTEREST/DISCLOSURE DECLARATIONS: The Chair requested the Commissioners declare any conflicts of interest or disclosures. The Chair noted that there were no disclosures or conflicts.

STAFF PRESENTATION: Planner I Chad Chambers presented a summary of the project and previously circulated staff report, concluding this project is consistent with Bonner County Revised Code.

APPLICANT PRESENTATION: Applicant Nick Nicholls spoke on the purpose of the variance along with the details and history of the project.

PUBLIC/AGENCY TESTIMONY: The following spoke on the record: Dan Provolt

APPLICANT REBUTTAL: None

BOARD DELIBERATION: The Chair closed the hearing to public testimony. The Board discussed Findings and Conclusions.

MOTION: Commissioner Connolly moved to approve this project FILE V0011-21 lot size minimum variance to divide a 5.41 acre parcel into (2) parcels, one (1) 1.4-acre parcel and one (1) 4-acre parcel, finding that it is in accord with the Bonner County Revised Code as enumerated in the following conclusions of law, and based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. Commissioner Connolly further moved to adopt the findings of fact and conclusions of law as set forth in the Staff Report and direct the Planning Director to transmit this decision to all interested parties. The action that could be taken to obtain the variance is to complete the Conditions of Approval as adopted. This action does not result in a taking of private property. Stepping down from the chair, Commissioner McDonald seconded the motion.

VOTED upon and the Chair declared the motion carried, unanimously.

Background:

A. Site data:

- ≈5.41 acre unplatted parcel
- Zone: Rural 5-acre
- Land Use: Rural Residential

B. Access:

- The property is accessed by Highway-2.

C. Environmental factors:

- Site does contain mapped slopes between 15-29% and 30% or greater grade. (USGS)
- Site does not contain mapped wetlands. (USFWS)
- Site does not contain a river/stream/frontage on lake.
- Per CFM Jason Johnson: JRJ, 6.9.2021: Parcel is within SFHA Zone X, per FIRM Panel 16017C0695E, Effective Date 11/18/2009. No further floodplain review is required on this proposal.

D. Services:

- Water: "each homesite will have its own private well and water system"
- Sewage: Individual septic and drain field
- Fire: West Side Fire District
- Power: Northern Lights Inc.
- School District: Bonner School District #84

- Per CFM Jason Johnson: "6.9.2021: Parcel is within SFHA Zone X, per FIRM Panel 16017C0695E, Effective Date 11/18/2009. No further floodplain review is required on this proposal."

E. Comprehensive Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Land Use & Density
Site	Rural Residential	Rural 5-acre	Currently vacant
North	Rural Residential	Rural 5-acre	Rural Residential
East	Rural Residential	Rural 5-acre	Rural Residential
South	Rural Residential	Rural 5-acre	Highway 2
West	Rural Residential	Rural 10-acre	Rural Residential

F. Standards review

BCRC 12-234 specifies that "Staff, the commission and/or board shall review the particular facts and circumstances of each proposal submitted and shall find adequate evidence showing that: [Insert specific findings addressing each of the standards.]

- (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: "I am requesting a variance to the R5 zoning to allow a family split on this 5.41-acre parcel. The property is divided geographically by the 100' powerline ROW access which is a physical barrier that effectively creates two separate parcels of approximately 1.4 ac and 4 ac. Dividing the property along the south line of the powerline ROW would also allow for a natural road access to be developed with an extension of "The Cross Road" which would service both new parcels."

"There are currently several properties adjacent and within 1500 feet of the subject parcel that range in size from 1.1 ac, 2.28 ac, 2.93 ac, 3.4 ac to 3.6 ac."

Staff: The powerlines run through the subject property. Further eastward, the powerlines run through several other properties highlighted in the image referenced (see map titled "Powerline & Other Properties"). Parcels in the surrounding area that fall below the lot size minimum requirement are likely legal non-conforming parcels; that is to say, it is possible that many of the surrounding parcels were created prior to the zoning ordinance that was adopted in 2008. See standard review in section (c) for a more in-depth analysis regarding neighboring properties within 1,500ft of the subject parcel.

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

Applicant: "No action by the applicant have occurred on the property that created an issue requiring this variance request"

Staff: Per the latest deed available electronically (Quitclaim deed; Instrument No. 966629), the property was acquired by the applicant on September 30, 2020. The powerline running through the property does not result from the actions of the applicant. Per historical Imagery available on Google Earth, the powerlines existed long before the applicant acquire the property.

- (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: "This request is not in conflict with the residential use of the area and appears to be in line with the sizes of many parcels within 1500 feet of the subject parcel. Public access is not currently available on the private roads that serve the subject property. Access to the property will be available with the extension of the private drive "The Cross Road" or by use of the easement that is currently in place on the south end of the property and accessed from HWY 2 (see details on deed)"

"No detrimental effects are anticipated through this request."

Staff: Per a buffer analysis conducted by staff, the surrounding property centroids that fall within a 1,500ft buffer from the existing subject property line equate to approximately an average parcel size of 5.13 acres. The analysis for neighboring acreage does exclude the subject 5.41-acre parcel in question so as to not potentially increase the sample size or add to the total average acreage.

G. Stormwater plan: A stormwater management plan was not required, pursuant to BCRC 12-720.3(k) because the proposal does not result in the creation of additional impervious surface, as defined.

H. Agency Review: The application was routed to agencies for comment on June 15, 2021.

Panhandle Health District	Idaho Department of Water Resources
Westside Fire District	Idaho Transportation Department
Northern Lights Inc.	Idaho Department of Lands, Nav. Waters
Applicable School District #84	U.S. Fish and Wildlife Service
Bonner County Schools – Transportation	Idaho Department of Lands (Sandpoint)
Idaho Department of Fish and Game	BNSF Railway
Idaho Department of Environmental Quality	

The following agencies commented:

Idaho Department of Fish and Game – rec'd June 25, 2021

"The Idaho Department of Fish and Game does not have any comments to submit for this application."

Idaho Department of Environmental Quality – rec'd July 6, 2021

"DEQ has no environmental impact comments at this stage of the project."

All other agencies did not reply.

I. Public Notice & Comments:

One public comment – rec'd 09.13.21

"As adjoining property owners, my wife and I have discussed the issue of the hearing notice and agree and encourage your approval of this appeal.

In the last paragraph of the August 24, 2021 Appeal Notice; the statement that "Testimony and or Evidence of how the proposal does or does not comply with the approval criteria of the county revised code," presents an unreasonable basis for consideration.

I would submit that the premise for Mr. Nicholl's request is a simple request for a "VARIANCE" to the revised code, i.e. to depart from the code and make a decision based of other considerations."

Findings of Fact

1. There are several properties eastward of the subject property in the same Rural 5-acre zoning district that are divided by the powerlines. Thus, the conditions that apply to the property do generally apply to other properties within the vicinity of the subject property.

2. The applicant has no control over the powerlines running through the property. They were there long before the applicant acquired the property in September 2020, albeit the applicant acquired the property knowing that powerlines ran through it. The deed on file for the adjacent property, (Parcel No. RP04155000020A) indicates that the applicant acquired it in 2013 (Instrument #845749, Warranty Deed).

3. There are no mapped wetlands on the property, but there is some sloping in the southern half of the property between 15-29% grade. There are also some slopes 30% or greater near the southern property line. The property contains one soil type, Pend Oreille silt loam which is not prime farmland but is well drained. There are no mapped streams or rivers that run through the property.

4. The site is served by the West Side Fire District and Northern Lights Inc. for power.

5. The property is zoned Rural 5-acre and is in the Rural Residential Comprehensive Land use plan designation.

Conclusions of Law:

Based upon the findings of fact, the following conclusions of law are adopted:

Conclusion 1

Conditions apply to the property that **do** 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 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, or materially injurious to properties or improvements in the vicinity of the subject parcel or lot. (Ord. 559, 1-4-2017)

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 A shared well agreement must be established in writing prior to a land division.

A-3 Proof of a sanitary restriction lift for both proposed parcels must be provided to the Planning Department prior to approval of a land division.

A-4 A deed restriction must be added to the northerly parcel allowing for only one full size home, no ADU or RV dwelling unit shall be permitted.

A-5 A deed restriction must be added to the southerly parcel allowing for only one full size home and one ADU. No RV unit dwelling unit shall be permitted.

The Chair declared the hearing adjourned at 2.28 p.m.

Respectfully submitted, this 23rd day of September 2021,



Jacob Gabell, Assistant Planning Director