

**BONNER COUNTY PLANNING and ZONING COMMISSION  
PUBLIC HEARING MINUTES  
FEBRUARY 17, 2022**

**PLEDGE OF ALLEGIANCE**

**CALL TO ORDER:** Chair Bailey called the Bonner County Planning and Zoning Commission hearing to order at 5:30 p.m. in the 1<sup>st</sup> Floor Conference Room, of the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, via Zoom webinar, and YouTube live streaming.

**PRESENT:** Commissioners Chair Brian Bailey; Vice Chair Don Davis; Jennifer Casey; Dave Frankenbach; Sheryl Reeve

**ABSENT:** None

**ALSO PRESENT:** Planning Director Milton Ollerton; Assistant Planning Director Jacob Gabell; Planner II Jason Johnson; Planner I Swati Rastogi; Planner I Chad Chambers; Planner I Daniel Britt; Planner I Amy Scott; Hearing Coordinator Jenna Crone

**CHANGES IN AGENDA:**

- File AM0021-21 was removed from the agenda due to the application violating Bonner County Code Chapter 2, section 12-213, "An amendment to the text of this title or comprehensive plan may be initiated by any citizen or property owner of Bonner County. A fee shall be collected for any amendment initiated by a citizen or property owner, as set forth at section 12-265 of this chapter. The amendment shall be considered in accordance with the procedure specified in Idaho Code sections 67-6509 and 67-6511. (Ord. 559, 1-4-2017)". It was determined that the applicant was not a citizen or property owner of Bonner County.
- A workshop meeting for AM0021-21 was scheduled for March 8<sup>th</sup> at 4:30 pm and the commission requested that a revised application be submitted to the Planning Department.

**CONSENT AGENDA:** None

**APPROVAL OF MINUTES:** The Chair requested the Commissioners declare if they had any corrections or changes to the approval of minutes as written for: February 3, 2022. Hearing no changes or objections, the Chair declared the minutes approved as written.

**File V0024-21 – Variance – Street Setback – Harold and Linda Lambert** are requesting a reduced street setback of 10 feet where 25 feet is required to build a detached garage on 1.26 acres. The property is zoned Rural 10. The project is located off Sagle Road in Section 17, Township 56 North, Range 1 West, Boise-Meridian.

**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 with conditions.

**APPLICANT PRESENTATION:** None

**PUBLIC/AGENCY TESTIMONY:** None

**APPLICANT REBUTTAL:** None

**COMMISSION DELIBERATION:** The Chair closed the hearing to public testimony. The Commission discussed Findings and Conclusions.

**MOTION TO APPROVE:** Commissioner Frankenbach moved to approve this project FILE V0024-21 requesting a 10' street setback where 25' is required for the construction of a detached garage, 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 Frankenbach further moved to adopt the findings of fact and conclusions of law as set forth in the Staff Report and direct planning staff to draft written findings and conclusions to reflect this motion, have the Chairman sign, and transmit 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.

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

Commissioner Reeve seconded the motion.

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

Commissioner Davis	Aye
Commissioner Reeve	Aye
Commissioner Bailey	Aye
Commissioner Frankenbach	Aye
Commissioner Casey	Aye

---

### **Findings of Facts:**

---

1. The proposal was reviewed for compliance with BCRC 12-234 Variances, and standards for review of applications.
2. The subject property has a unique shape, size, and topography that does not result from the actions of the applicant.
3. The property is accessed by Sagle Road, a County owned and maintained road.
4. The lot is characterized by slopes that are between 15-29%.
5. The property is zoned Rural-10-acre.

6. The subject property is served by an individual well, septic system, Northern Lights for power, and Sagle dba Selkirk Fire District.
7. There is an existing single-family dwelling on the lot.
8. The property is described as Lot 1 of Baylen View Estates thereof, recorded in Book 2 or Plats at page 105, records of Bonner County, Idaho

---

### **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 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 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** The variance shall not supersede any deed restrictions.
- A-3** The applicant must apply for a Building Location Permit and submit all documentation required to Bonner County Planning Department for review and approval.
- A-4** The applicant must submit a stormwater management plan pursuant to BCRC 12-720.2(E) at the time in which they apply for a building location permit.

### **COMMISSIONER & STAFF UPDATES:**

- Planning Director Milton Ollerton gave an update on total file numbers for 2022 and staffing challenges. Total permit numbers and land use file numbers were discussed.
- Commissioner Bailey shared that Commissioner Glasoe resigned from her seat.

- Applications are still being received for the Planning Commission and Zoning Commission.

At 6:38 p.m., the Chair declared the hearing adjourned until March 3, 2022.

Respectfully submitted,



---

Milton Ollerton, Planning Director

---

The above Minutes are hereby approved this 3<sup>rd</sup> day of March 2022.

Bonner County Planning and Zoning Commission



---

Brian Bailey, Chair