



## BOUNDARY COUNTY PLANNING AND ZONING

Street address: 6447 Railroad St., Suite D, Bonners Ferry, ID 83805 Mailing address: PO Box 419, Bonners Ferry, ID 83805  
Phone (208) 267-7212 [www.boundarycountyid.org](http://www.boundarycountyid.org) (web page)

### PLANNING & ZONING COMMISSION

#### MINUTES OF SEPTEMBER 25, 2025, PUBLIC MEETING

*Boundary County Annex at 6566 Main St., Bonners Ferry, ID 83805*

#### ATTENDANCE:

Chair Caleb Davis: ☒ Present, ☐ Excused, ☐ Absent  
Rob Woywod: ☐ Present, ☒ Excused, ☐ Absent  
John Cranor: ☒ Present, ☐ Excused, ☐ Absent  
Bill Benage: ☒ Present, ☐ Excused, ☐ Absent

Co-Chair Wade Purdom: ☐ Present, ☒ Excused, ☐ Absent  
Scott Fuller ☒ Present, ☐ Excused, ☐ Absent  
Adam Isaac: ☒ Present, ☐ Excused, ☐ Absent

**ROLL CALL:** Chair Davis called the meeting to order at 5.30 p.m. Roll call: Commission members' attendance is noted above. Also in attendance: Acting Zoning Administrator Clare Marley, Contract Planner Tess Vogel, Planning & Zoning Administrator Ben Jones, and members of the public.

**CONSENT AGENDA:** Commissioner Cranor moved to approve the minutes of August 28, 2025, and Commissioner Isaac seconded the motion. The Chair declared the motion approved on a voice vote of 4-0-1, with Chair Davis abstaining.

**NOVEMBER/DECEMBER MEETING:** Commissioner Cranor moved to schedule the November/December special meeting to November 13, 2025, at 5:30 p.m. and Commissioner Benage seconded the motion. The Chair declared the motion approved on a unanimous voice vote. (*See reconsideration of this motion later in meeting minutes.*)

**CANCELLED: PUBLIC HEARING: FILE #25-0144, COMMERCIAL SUBDIVISION VIA LONG PLAT SUBDIVISION, HILT VENTURE CAP, INC.,** is requesting preliminary plat approval of Timberline Commercial Park, a commercial subdivision via long plat subdivision to divide a 25.29-acre parcel into two, 1-acre lots, two, 1 ½-acre lots, and a 20.297-acre remainder parcel in the Rural Community/Commercial zone. The Rural Community/Commercial zone requires community water or sewer service for all lots proposed to be less than 2 ½ acres in size. The parcel is located off Highway 95 and identified as Assessor's Parcel RP62N01E117821A in Section 11, Township 62 North, Range 1 East, B.M.

File #25-0144 was canceled at the request of the applicant. No motion was required.

**PUBLIC HEARING: FILE #25-0132, VARIANCE, JUSTUS FAMILY TRUST** is requesting a lot size minimum variance to allow for the division of a 5.3-acre parcel to create two, sub-5-acre parcels in the Rural Residential zone. The parcel is zoned Rural Residential, which has a lot size minimum of 5 acres per Section 15.10.1. of the Boundary County Land Use Code. The parcel is located at 511248 Highway 95 and 2415 Homestead Loop and identified as Assessor's Parcel RP62N01E110060A in Section 11, Township 62 North, Range 1 East, B.M.

**DISCLOSURES/CONFLICTS OF INTEREST:** None.

**STAFF PRESENTATION:** Mr. Jones explained the hearing procedures and provided an overview of the proposal. Mr. Jones answered the Commission's questions on Idaho Transportation Department (ITD's) comments regarding the proposal, the property's county road access, and the width of the highway right-of-way. Ms. Vogel answered questions about ITD's comments regarding the property's highway access and how division of the property would affect that.

**APPLICANT PRESENTATION:** Applicant Richard Justus spoke about his history with the parcel and there being two Three-Mile Water services with meters located on Highway 95 upon purchasing the property. Mr. Justus also stated that there were many outbuildings and the land was too expensive to sell to a grandson, resulting in an application for a variance, with the reasoning that it wouldn't affect the neighbors. When asked by the Commission if Mr. Justus would have an issue with a condition placed on issuance that a road access permit be obtained from Boundary County Road & Bridge, Mr. Justus responded no. When asked by the Commission if there was a topographical reason to split the property down the middle, Mr. Justus answered that the ground was sandy and couldn't be farmed because of shallow buried cars, in addition to there being a draw down the middle of the property.

**PUBLIC TESTIMONY:** Jeff Mellinger spoke neutrally on the proposal, asking if there was an easy drive way between the proposed parcels would that be enough to justify creating them.

**APPLICANT REBUTTAL:** Mr. Justus answered Mr. Mellinger's question, stating he could get a lawnmower between the proposed parcels if he was careful. Mr. Justus said in response to the Commission's question on whether the property had been surveyed that no survey had been done on the parcel, and his map was roughly constant with Mr. Justus' intentions.

**DELIBERATION/DISCUSSION:** The Chair closed the public hearing, and the Commission began deliberations. The Commission members discussed the sizes of the neighboring parcels relative to Mr. Justus' parcel, Three-Mile Water services, and what precedent granting this variance would set. The Commission also discussed adding an additional condition requiring access be granted from Homestead Loop, topographical limitations, and whether the application is sufficient in clarity regarding the dividing line's location.

**MOTION:** Commissioner Isaac moved, and Commissioner Fuller seconded the motion, to deny the lot size minimum variance to allow for the division of a 5.3-acre parcel to create two, sub-5-acre parcels in the Rural Residential zone, File #25-0132, finding that the proposal **IS NOT** in accord with the standards of Idaho Code and Section 12 of the Boundary County Zoning & Subdivision Ordinance, based upon the findings as written and based upon the reasons as read into the record. This action does not result in a taking of private property.

The Chair declared the motion approved on a unanimous voice vote.

Chair Davis declared a recess at 6:37 p.m. The meeting was resumed at 6:40 p.m.

**PUBLIC HEARING: FILE #25-0152, COMMERCIAL SUBDIVISION VIA LONG PLAT SUBDIVISION, JEFF & LORETTA MELLINGER** are requesting preliminary plat approval of Tonka Industrial Park, a commercial subdivision via long plat subdivision to divide a 9.375-acre parcel into eight, 1-acre lots and one, 2-acre lot in the Commercial/Light Industrial zone. The Commercial/Light Industrial zone has no lot size minimum other than to be sized sufficiently for the use and level of services necessary. The parcel is located off Tonka Way, a 60-foot-wide private road from Highway 2 and identified as Assessor's Parcel RP62N01E133013A in Section 13, Township 62 North, Range 1 East, B.M.

**DISCLOSURES/CONFLICTS OF INTEREST:** None.

**STAFF PRESENTATION:** Ms. Vogel explained the hearing procedures and provided an overview of the proposal. Ms. Vogel answered the Commission's question on requirements for downward facing lights and whether current and future residential uses will be allowed in the development. Ms. Vogel also answered the Commission's questions regarding installing wells on the property and whether or not ITD would implement new requirements on the existing private road approach as the development's uses grew.

**APPLICANT PRESENTATION:** Project Surveyor Grant Dorman stated that Tonka Way was built to County Road standards and could easily be taken over by the County as one of their roads if needed. Mr. Dorman also spoke of the great care taken in ensuring what already exists on the property would be conforming when the property is subdivided. Jeff Mellinger spoke about the airport being glad the uses wouldn't be residential, as well as the interest of buyers who want to use the lots in ways that wouldn't require utilities. When asked by the Commission about septic expansion, Mr. Dorman answered PHD required space for an additional drainfield in case the first drainfield failed. When asked by the Commission about the lack of purpose for the lots, Mr. Mellinger answered that people who just wanted to rent an acre would have a shop built, and that the tenants were only interested in having an affordable acre of commercial land off the highway.

**PUBLIC TESTIMONY:** Jeffery Scott Mellinger spoke in favor of the proposal, stating that it worked well with the zoning and that it didn't allow for very large shops to be built. Cole Dorman spoke in favor of the proposal, stating he and Grant Dorman had made sure everything would be in conformance with the County Land Use Ordinance.

**APPLICANT REBUTTAL:** Grant Dorman stated if there were any questions during deliberation to ask, to which Chair Davis stated they wouldn't be able to.

**DELIBERATION/DISCUSSION:** The Chair closed the public hearing, and the Commission began deliberations. The Commission members discussed how the proposal would affect the airport and how the proposal would impact the adjacent Tonka Way.

**MOTION:** Commissioner Isaac moved, and Commissioner Cranor seconded the motion, to recommend approval of the preliminary plat for Tonka Industrial Park, a proposed commercial subdivision, File #25-0152, to the Boundary County Board of Commissioners, finding that the preliminary plat **IS** in accord with the applicable zoning and subdivision standards of the Boundary County Land Use Ordinance, based upon the findings and conditions as written and based upon reasons as read into the record. This action does not result in a taking of private property.

The Chair declared the motion approved on a unanimous voice vote.

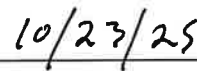
**UPDATES & ANNOUNCEMENTS:** Ms. Vogel provided a list of files scheduled for the October meeting.

**SPECIAL MEETING RECONSIDERATION:** Commissioner Cranor moved, and Commissioner Isaac seconded the motion, to reconsider the date of the November/December meeting. The Chair declared the motion to reconsider passed on a unanimous voice vote. Commissioner Fuller moved, with Commissioner Cranor seconded the motion, to set the November/December special meeting to November 20, 2025, at 5:30 p.m. at the County Annex building. Chair Davis declared the motion passed on a unanimous voice vote.

**ADJOURNMENT:** Chair Davis declared the meeting adjourned at 7:53 p.m.



Caleb Davis, Chair  
Boundary County Planning & Zoning Commission



Date: