



BOUNDARY COUNTY PLANNING AND ZONING

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PLANNING & ZONING COMMISSION MINUTES OF FEBRUARY 26, 2026, PUBLIC MEETING

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

ATTENDANCE:

| | | | |
|--------------------|--|-------------------------|--|
| Chair Caleb Davis: | <input checked="" type="checkbox"/> Present, <input type="checkbox"/> Excused, <input type="checkbox"/> Absent | Vice Chair Wade Purdom: | <input checked="" type="checkbox"/> Present, <input type="checkbox"/> Excused, <input type="checkbox"/> Absent |
| Rob Woywod: | <input checked="" type="checkbox"/> Present, <input type="checkbox"/> Excused, <input type="checkbox"/> Absent | Scott Fuller | <input type="checkbox"/> Present, <input checked="" type="checkbox"/> Excused, <input type="checkbox"/> Absent |
| John Cranor: | <input checked="" type="checkbox"/> Present, <input type="checkbox"/> Excused, <input type="checkbox"/> Absent | Adam Isaac: | <input checked="" type="checkbox"/> Present, <input type="checkbox"/> Excused, <input type="checkbox"/> Absent |
| Bill Benage: | <input checked="" type="checkbox"/> Present, <input type="checkbox"/> Excused, <input type="checkbox"/> Absent | Anthony Spoto: | <input checked="" type="checkbox"/> Present, <input type="checkbox"/> Excused, <input type="checkbox"/> Absent |
| Seth Kinkade: | <input checked="" type="checkbox"/> Present, <input type="checkbox"/> Excused, <input type="checkbox"/> 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 Planning & Zoning Administrators Clare Marley and Tess Vogel, Boundary County Road & Bridge Assistant Superintendent Adam Ryals, and members of the public.

CONSENT AGENDA:

January 22, 2026, Minutes: Vice Chair Purdom moved, and Commissioner Benage seconded the motion to approve the January 22, 2026, minutes. The Chair declared the motion approved on a voice vote of 2-0-4, with Purdom and Benage voting YES, and Cranor, Spoto, Kinkade, and Woywod abstaining. Commissioner Isaac arrived following the vote, at 5:36 p.m.

Ms. Marley provided a brief summary of the land use decision making process.

PUBLIC HEARINGS:

FILE #26-0019, CONDITIONAL USE PERMIT, JENNIFER & JASON VAN ETEN are requesting a conditional use permit for a multi-structure residential use to allow for a second primary single-family dwelling on a 1.97-acre parcel where a primary single-family dwelling currently exists. The lot is zoned Residential, which requires a conditional use permit for a multi-structure residential use per Section 15.12.5.7. of the Boundary County Land Use Code. The lot is located at 634 Hillcrest Road and is identified as Assessor’s Parcel RP008300000020A, Lot 2 of Selkirk Vista, in Section 22, Township 62 North, Range 1 East, B.M.

Chair Davis opened the public hearing and called for disclosures. No disclosures were announced.

Ms. Vogel presented a summary of the application, evidence of record, standards of review, agency comments, and draft conditions. She advised the Commission of new comments from Panhandle Health District.

Applicant testimony: Applicant Jason Van Etten testified about the reasons for seeking a second home.

Public testimony: The Chair called on those who wish to testify for, neutral, and against the application. No members of the public testified.

Rebuttal: The applicant thanked the Commission for considering their application.

Deliberations: The Chair closed the public hearing at 6:03 p.m. and called for deliberations. The Commission voiced concerns about obtaining septic system approval from Panhandle Health District and discussed adding findings and conditions to address health district concerns and access.

Motion: Commission Cranor moved, and Commission Woywod seconded the motion, to approve the conditional use permit for a multi-structure residential use to allow for a second primary single-family dwelling, File #26-0019, finding that the proposal IS in accord with the standards of Idaho Code and Section 7 of the Boundary County Zoning & Subdivision Ordinance, based upon the findings and conditions as written, adding conditions #9 and #10 as read into the record, and based upon the reasons as read into the record during deliberation. This action does not result in a taking of private property.

Condition #9: The dwelling's sewage disposal system shall meet the minimum standards of the Panhandle Health District permitting requirements prior to issuance of the placement permit.

Condition #10: Access to the additional dwelling shall be from the same approved location as the main dwelling, as determined by Boundary County Road and Bridge at the time of placement permit.

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

FILE #26-0032, CONDITIONAL USE PERMIT, THE TOM & BETSY PEYTON LIVING TRUST is requesting a conditional use permit for a multi-structure residential use to allow for an existing second primary single-family dwelling on a 5.09-acre parcel, where a primary single-family dwelling currently exists. The lot is zoned Rural Residential, which requires a conditional use permit for a multi-structure residential use per Section 15.10.5.3. of the Boundary County Land Use Code. The lot is located at 686 & 684 Chute Canyon Way and is identified as Assessor's Parcel R003200000R80A, Lot R8, of Chute Canyon Country Estates in Section 13, Township 62 North, Range 1 East, B.M.

Chair Davis opened the public hearing and called for disclosures. No disclosures were announced.

Ms. Vogel presented a summary of the application, evidence of record, standards of review, agency comments, and draft conditions.

Applicant testimony: Mary Yeatts and Beth Walker explained the history of the site and development of the second home that occurred in 2010. They testified that they did not know the second home had been built without the proper permits by their parents until after they had died. They are now seeking a permit to remedy the situation after-the-fact.

Public testimony: The Chair called for public testimony in the order of for, neutral, against. There was no public testimony.

Rebuttal: None.

Deliberations: The Chair closed the hearing at about 6:30 p.m. and called for deliberations. The Commission discussed whether to impose a condition requiring the applicants to obtain approval from Panhandle Health District for the septic system.

Motion: Commissioner Isaac moved, and Commission Cranor seconded the motion, to approve the conditional use permit for a multi-structure residential use to allow for an existing second primary single-family dwelling, File #26-0032, finding that the proposal IS in accord with the standards of Idaho Code and Section 7 of the Boundary County Zoning & Subdivision Ordinance, based upon the findings and conditions as amended to add Condition #9 regarding the health district as read into the record, and based upon the reasons as read into the record during deliberation. This action does not result in a taking of private property.

Condition #9: The dwelling's sewage disposal system shall meet the minimum standards of the Panhandle Health District permitting requirements prior to issuance of the placement permit.

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

The Chair called for a 5-minute recess at 6:39 p.m. The meeting resumed at about 6:48 p.m.

FILE #25-0144, LONG PLAT SUBDIVISION, HILT VENTURE CAP, INC. is requesting preliminary plat approval for Timberline Commercial Park, a commercial subdivision via long plat, to divide a 25.29-acre parcel into six, 1-acre lots and one, 19.297-acre lot in the Rural Community/Commercial zone. The Rural Community/Commercial zone has a lot size minimum of 2 ½ acres where no community water or sewer service is available, 1-acre where either community water or sewer service is available, or ¼-acre where both community water and sewer services are available. The parcel is located at the intersection of Highway 95 and Ethan Martin Drive and identified as Assessor's Parcel RP62N01E117821A in Section 11, Township 62 North, Range 1 East, B.M.

Chair Davis opened the public hearing and called for disclosures. Commissioner Spoto advised that he has knowledge of the subject site from prior to his appointment to the Planning and Zoning Commission and has a general idea about the subdivision lots but no conflict of interest. No other disclosures were announced.

Ms. Vogel presented a summary of the application, evidence of record, standards of review, agency comments, and draft conditions. She discussed the water service requirements, Panhandle Health District comments, and Idaho Transportation Department (ITD) remarks about future accesses and permitting.

Applicant testimony: Joseph Bushnell testified to the reasons for lot layout to meet water access requirements, available water services, and contingencies if water is not available.

Public testimony: Fred Nystrom asked about the development and the likelihood that the subdivision would be developed. Matt Surprenant asked for information about the subdivision process.

Rebuttal: None. Ms. Marley asked whether the applicant would agree to a condition that would allow options for either sewer or water services to meet the minimum lot size requirements for services. Mr. Bushnell agreed.

Deliberations: The Chair closed the hearing at about 7:30 p.m. and called for deliberations. The Commission discussed the ITD access conditions and future water and sewer services. Ms. Marley read into the record a proposed condition 6c to address future services, based on Commission deliberations.

Motion: Vice Chair Purdom moved, and Commissioner Woywod seconded the motion, to recommend approval of the preliminary plat for Timberline Commercial Park, a proposed commercial subdivision, File #25-0144, 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 amended to add Condition 6c as read into the record and based upon the reasons as read into the record during deliberation. This action does not result in a taking of private property

Condition #6c: All lots except proposed Lot 7 shall be served by either an approved community water system or community sewer system at the time of development, as defined by Boundary County land use codes.

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

FILE #25-0150, CONDITIONAL USE PERMIT, THE MYRON D. WENGER & KARLA J. WENGER FAMILY REVOCABLE INTER VIVOS TRUST is requesting a conditional use permit for a recreational hospitality use to allow for an existing 5-unit RV park on two, 1-acre parcels where a primary single-family dwelling currently exists. The parcels are zoned Suburban, which requires a conditional use permit for a moderate class level recreational hospitality use when the use is located within 1,000 feet from any existing neighboring dwelling per Section 15.11.5.3. of the Boundary County Land Use Code. The use is located within 1,000 feet of multiple neighboring dwellings. The parcels are located at 114 and 120 Star Road and are identified as Assessor's Parcels RP62N02E177811A and RP62N02E177812A in Section 17, Township 62 North, Range 2 East, B.M.

The Chair opened the hearing and called for disclosures. No disclosures were announced.

Ms. Marley advised the Commission of new information provided to the record regarding sewage disposal and water service information from the Panhandle Health District. Due to the lack of sufficient information regarding the services, the Commission may want to consider remanding the file to the applicant to provide additional evidence. She stated that she had spoken to the applicant about the potential for a remand for additional information. Ms. Marley suggested the hearing be opened so the Commission can hear the proposal and determine whether additional information is needed

Planner Vogel provided background on the application, standards of review, agency comments, and proposed conditions of approval. Chair Davis requested confirmation that the site is actually two separate parcels and whether a future sale of one of the parcels could jeopardize the conditional use permit approval.

Staff advised that additional evidence of water service from Three Mile, health district approval, and submission of an updated clear site plan as outlined in draft Condition #6 are needed.

Applicant testimony: Myron Wenger provided information on the source for electrical services and the site layout. He advised that he was unable to reach the health district before the hearing to learn about permitting requirements. He said he was okay with postponing the decision until additional information is obtained. He is not opposed to combining the parcels, he said.

Public testimony: Tony Marcella testified that he can vouch for the applicant's intent and standards. Matt Surprenant said he lives nearby the site and the RV park is neat and clean and he has no issues with the proposal.

Motion: Vice Chair Purdom moved, and Commissioner Kinkade seconded the motion, to continue the hearing to 5:30 p.m. April 23, 2026, at the Boundary County Annex, to allow the applicant time to provide additional

information regarding sewer permitting from the Panhandle Health District, proof of water service from Three Mile Water District to address the Idaho Department of Water Quality comments, and an updated site plan meeting the information requested in draft condition #6 of the staff report.

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

UPDATES & ANNOUNCEMENTS:

The Commission agreed to scheduling further discussion on the land use code updates to include grouping of topics for future hearings and priorities, as the hearing schedule allows, and suggested training from the staff on the meaning of a “taking” as it relates to land use actions and defensible decision making.

ADJOURNMENT: Chair Davis declared the meeting adjourned at 8:26 p.m.



Chair, Adam Isaac (acting chair)
Boundary County Planning & Zoning Commission



Date:

