

Subject **Request for Conditional Use Permit**
From Sarah Gray [REDACTED]
To <Publicrecordsrequest@boundarycountyid.org>
Date 2026-08-27 12:08 PM



Martin Wood Products, occupying the building at [REDACTED] Bonners Ferry, ID, is completing some septic system analysis and in order to remain in compliance with the conditions of the permit, we need to have access to that list.

I am requesting a copy of the CUP on file for this property, please.

Thank you,
Sarah Gray



Sarah Gray
OFFICE MANAGER



Phone: [REDACTED]
Email: [REDACTED]
Website: www.martinwoodproducts.com
Address: [REDACTED]
[REDACTED]

Subject **Re: Your mail to publicrecordsrequest@boundarycountyid.org**
From Sarah Gray [REDACTED]
To <publicrecordsrequest@boundarycountyid.org>
Date 2026-08-27 02:12 PM



Thank you. Specifically, I am looking for file 23 0023, the Conditional Use Permit, and the issuance or decision letter that accompanies that permit, please.

I appreciate your work on this.

Sarah Gray
Martin Wood Products
[REDACTED]

On Thu, Aug 27, 2026 at 12:08 PM <publicrecordsrequest@boundarycountyid.org> wrote:

This email is to confirm that your public records request has been received by Boundary County. Your request will be routed to the appropriate department(s) for fulfillment.

Please note that, pursuant to Idaho Code 74 103, Boundary County will attempt to fulfill your request within three business days of receipt, though up to ten business days may be necessary depending on the type of records requested. You will be contacted if additional time is required.



Sarah Gray
OFFICE MANAGER



Phone: [REDACTED]
Email: [REDACTED]
Website: www.martinwoodproducts.com
Address: [REDACTED]
[REDACTED]



BOUNDARY COUNTY CONDITIONAL USE PERMIT APPLICATION

P.O. Box 419, Bonners Ferry, Idaho 83805
Phone: (208) 267-7212

FILE #:

23-0023

APPLICATION REQUEST:

The applicant is requesting a conditional use permit to allow:

Wood Products and Storage

Use is conditionally allowed at Section(s) of Boundary County Land Use Ordinance:

~~TSV 15.13.5.2 - 15.13.5.3~~ 15.6.6. & 15.14.5.1. & 15.14.5.7.

APPLICANT INFORMATION:

Applicant/Landowner: Schrock Revocable Inter Vivos Trust

Mailing Address:

City: Bonners Ferry

State: ID

Zip: 83805

Site Address: Enterprise Way - No address

Subdivision: N/A

Phone:

Email:

REPRESENTATIVE INFORMATION:

Representative's name: James R. Staples

Company name: J.R.S. Surveying, Inc.

Mailing Address: P.O. Box 3099

City: Bonners Ferry

State: ID

Zip: 83805

Phone:

Email:

ADDITIONAL APPLICANT/REPRESENTATIVE INFORMATION:

Name/Relationship to project:

Mailing Address:

City:

State:

Zip:

Phone:

Email:

TO BE COMPLETED BY COUNTY:

Zone District:

Commercial/Light
Industrial

Overlay
Zones:

☒ Airport
☐ Flood

☐ Wetland
☐ None

☐ Bonners Ferry ACI
☐ Moyie Springs ACI

Received:

RECEIVED

Floodplain:

Panel #:

Development Permit #:

Zone X

1602070575B

n/a

Receipt #:

NOV 23 2022

BY: 31366

PARCEL INFORMATION:

Parcel #'s: RP62N01E142876A - 4210A (Will change)		Parcel acreage: 0.99 - 1.59 Acres	
Current Zoning: Commercial/Light Industrial		Current Use: Commercial/Light Industrial	
Comprehensive plan designation: Commercial/Light Industrial			
What zoning districts border the project site?			
North: Commercial/Light Industrial		East: Airport	
South: Commercial/Light Industrial		West: Highway - Commercial/Light Industrial	
What are the current adjacent land uses?			
North: Open Field		South: Open Field - Kootenai Tribe - Travel Center further south	
East: Airport		West: Commercial - across highway	
Within Area of City Impact? Yes ☐ No ☒		If yes, which city?	

Please describe in detail all applicable uses/plans for subject property, including:				
Setbacks:	Front: (North) 111'	Side 1: (West) 46'	Side 2: (East) 128'	Rear: (South) 23'
Size of buildings: 100' X 200' with add. - 21,000 sq. ft.			Note - setbacks are to future/projected parcel lines	
Type of unit: Wood frame - metal			# of units: 1	
Machinery to be located on site? ☒ Yes ☐ No			Storage area on site? ☒ Yes ☐ No	
Expected start date: 8/1/22			Expected completion date: 9/10/22	
Expected # of employees daily: 10			Expected # of customers/visitors daily: 11	
Days and hours of operation: Mon-Friday - 10 hour days			Traffic (vehicles per day): 11	
Advertising sign, size, location: By Hwy - size not determined			Lighting plans: LED	
Water: ☒ Well ☐ 3-Mile _____ Water Assn.			Sewer: ☐ Bonners Ferry ☒ Septic ☐ Community	
Proposed access and whether public or private: Access from Highway 95 along Enterprise Way (private)				

NARRATIVE STATEMENT: Use separate sheet if necessary.

How does the proposed conditional use permit application meet at a minimum the following standards of Section 7.7 of Boundary County Land Use Code 9B18LOV2?

Confirm the application and site plan are sufficient to demonstrate the full scope of the proposed use.

Confirm the proposed use conforms with the applicable standards of the ordinance.

1. How is the use to be designed and operated so as to minimize adverse impacts on surrounding properties and uses?

The building is surrounded by commercial/light industrial parcels of similar use. The operation is contained within the building - no outside noise.

2. How do the impacts of the proposed use compare with the impacts of the existing uses within the zone?

The building is surrounded by commercial/light industrial parcels of similar use. The operation is contained within the building - no outside noise.

3. How will applicant address concerns related to water and sewer services, traffic and access, electricity, fire protection, County Road & Bridge and other reviewing agencies?

The building will be served by 3-Mile Water and Septic system. Access is from an approved approach on Highway 95 along a private road (Enterprise Way) to the building. The road is of adequate width to accommodate emergency vehicles with adequate turnaround at the building. Northern Lights power.

4. What is the potential benefit to the community offered by the proposed use?

The proposed building will employ 10 to 12 people providing additional employment to the County with no significant impact on the current infrastructure.

5. How will concerns raised by the public be adequately addressed? (If no concerns have been raised at time of application, the landowner should address this section at the public hearing.)

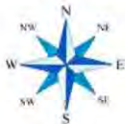
6. Will the proposed use constitute a public nuisance, impose undue adverse impacts to established surrounding land uses or infringe on the property rights of surrounding property owners? What mitigations could be offered to reduce potential impacts?

NO

7. Does the proposed use place an unfair burden on Boundary County taxpayers with costs not offset by the potential benefits of the proposed use?

NO

SITE SKETCH – Applicant may attach separate site plan. Plan shall include property boundaries, adjoining streets, parking areas, accesses, existing and proposed structures and dimensions, setbacks from all structures to property lines, proposed signs, lighting locations, outdoor storage, and other pertinent details to allow a thorough understanding of the project.



SEE ATTACHED MAP

RECORD OF SURVEY
Simple/Primitive Division &
Parcel Line Adjustment

IN THE
E1/2 NW1/4 OF SECTION 14
TOWNSHIP 62 NORTH, RANGE 1 EAST, B.M.
BOUNDARY COUNTY, IDAHO
FOR
CHARLES E. SCHROCK
REVOCABLE INTER VIVOS TRUST

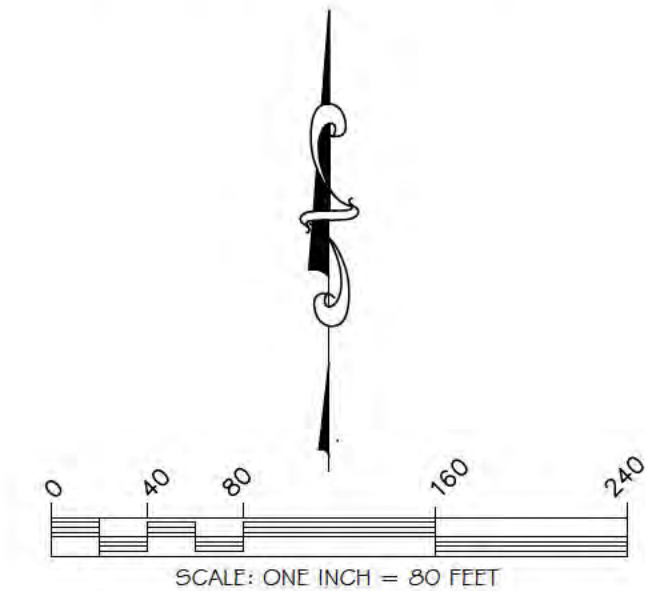
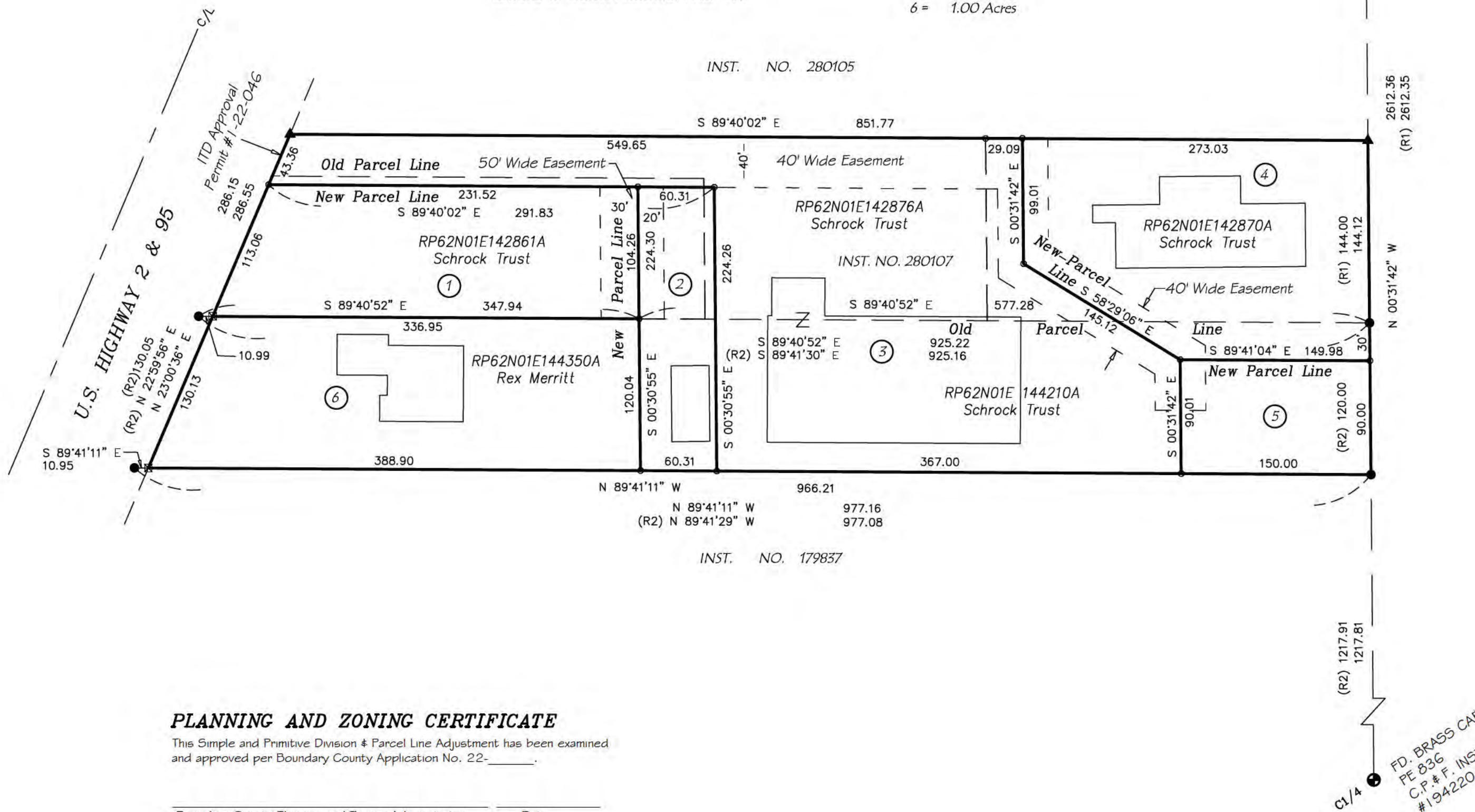
SURVEYOR'S NARRATIVE

The purpose of this survey was for a Division of that property described in Warranty Deed Instrument Number 280107 in records of Boundary County, Idaho. The survey was confined to E 1/2 of the NW1/4 in Section 14, T62N R1E, BM. Controlling corners to subdivide the E1/2, NW1/4 were tied this survey, utilizing the Record of Surveys by PLS 3628 recorded as Instrument Number 177955, Book 3 of Surveys, Page 134 and Instrument Number 173076, Book 3 of Surveys, Page 96 to verify corner locations and make final adjusted boundary determination. Monuments were set as noted this survey at new position for division of property.

ADJACENT SURVEYS OF RECORD

RECORD OF SURVEY BOOK 3, PAGE 48
RECORD OF SURVEY BOOK 3, PAGE 96
RECORD OF SURVEY BOOK 3, PAGE 134
RECORD OF SURVEY BOOK 3, PAGE 176
RECORD OF SURVEY BOOK 3, PAGE 231
RECORD OF SURVEY BOOK 4, PAGE 240
RECORD OF SURVEY BOOK 5, PAGE 111
RECORD OF SURVEY BOOK 7, PAGE 154
RECORD OF SURVEY BOOK 9, PAGE 79

Lot #	Acres
1 =	0.75 Acres
2 =	0.31 Acres
3 =	2.15 Acres
4 =	0.98 Acres
5 =	0.31 Acres
6 =	1.00 Acres



BASIS OF BEARINGS

Bearings are based on Idaho State Plane West Zone (1103), NAD83
Scale Factor: 0.999845. All distances are converted to ground.

LEGEND

- CORNER EVIDENCE AS NOTED
- SET 5/8" REBAR AND PLASTIC CAP - PLS 7540
- FOUND 5/8" REBAR AND PLASTIC CAP - PLS 3628
- ▲ FOUND 5/8" REBAR AND PLASTIC CAP - PLS 7877
- ☒ FOUND HIGHWAY RIGHT-OF-WAY MONUMENT (2-1/2" ALUMINUM CAP)
- COMPUTED POINT
- (R1) RECORD BEARING AND DISTANCE PER RECORD OF SURVEY RECORDED AS BOOK 3, PAGE 96, AS INSTRUMENT NO. 173076, RECORDS OF BOUNDARY COUNTY, IDAHO.
- (R2) RECORD BEARING AND DISTANCE PER RECORD OF SURVEY RECORDED AS BOOK 3, PAGE 134, AS INSTRUMENT NO. 177955, RECORDS OF BOUNDARY COUNTY, IDAHO.

PLANNING AND ZONING CERTIFICATE

This Simple and Primitive Division & Parcel Line Adjustment has been examined and approved per Boundary County Application No. 22-_____.

Boundary County Planning and Zoning Administrator _____ Date _____

SURVEYOR'S CERTIFICATION

I, Stephen J. Jeske, Idaho Land Surveyor No. 7540, do hereby certify that the plat hereon is a true and correct representation of a survey made by me or under my direct supervision in conformance with the laws of the State of Idaho (Idaho Code 31-2709, 1973 and Idaho Code 55-1905 through 1906) and accepted methods and procedures of surveying.



COUNTY RECORDER

This Record of Survey was filed for record in the office of the Recorder of Boundary County, Idaho, at the request of J.R.S. Surveying, Inc. this _____ day of _____, 2022, at _____ m. and duly recorded in Book _____ of Surveys, Page _____ as Instrument No. _____

County Recorder

Deputy Recorder

J.R.S. SURVEYING, INC.

PO BOX 3099-6476 MAIN
BONNERS FERRY, ID. 83805
(208) 267-7555

RECORD OF SURVEY

FOR: CHARLES SCHROCK

DWN BY: SJJ/KLK

E1/2 NW1/4, S14, T62N, R1E, B.M.

BOUNDARY COUNTY, IDAHO

REVISION NO. 1

11/11/2022

SHEET 1 OF 1

JOB NO. 22-28

REQUIRED:

APPLICATION CHECKLIST:			
COPY OF DEED:	☒ Attached	ACCESS & EASEMENT INFO:	☒ Attached
WATER WILL SERVE LETTER:	☐ Attached	SEWER WILL SERVE LETTER:	☐ Attached
SITE PLAN:	☒ Attached	APPLICATION FEE:	☒ Included

Submit with application fee to:
Boundary County Planning & Zoning
P.O. Box 419
Bonners Ferry, ID 83805

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 Boundary 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: *Jamie R. Stapler* Date: 11/23/22
Representative

Landowner's signature: _____ Date: _____



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FAMILY • INTEGRITY • VALUES Come to Us, You'll Be Floored!
SOLAR OFF GRID UNLIMITED
Solar - Wind - Hydroelectric - Thermoelectric



279700

WARRANTY DEED

IN CONSIDERATION of One Dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged by

FALCKCO, LLC, an Idaho limited liability company

the Grantor do hereby grant, bargain, sell, convey and warrant unto

CHARLES SCHROCK, an unmarried man

the Grantee whose current address is:

41 Sunrise Road, Bonners Ferry, ID 83805

the following described premises, to-wit:

See Attached Exhibit A

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

FALCKCO, LLC

By: LEVI FALCK, Manager

10-28-19
Date

State of Idaho)

) ss

County of Boundary)

On this 28th day of October, 2019, before me, the undersigned Notary Public, personally appeared LEVI FALCK, known to me to be the Manager of FALCKCO, LLC, and known or identified to me to be the person whose name is subscribed to the within instrument for and on behalf of said FALCKCO, LLC, and acknowledged to me that such FALCKCO, LLC, executed the same.

WITNESS MY HAND AND OFFICIAL SEAL

Sharlene Delaney
Notary Public For Idaho
Residing at Bonners Ferry
Commission Expires: 10/17/2021



Exhibit A

279700

PARCEL I

A tract of land in the East Half of the Northwest Quarter of Section 14, Township 62 North, Range 1 East of the Boise Meridian, Boundary County, Idaho; more particularly described as follows:

Beginning at a point on the East line of the Northwest Quarter of Section 14, which is South 0°33'04" East, 1274.41 feet from the North Quarter corner of Section 14; thence, along the South line of Instrument 175882, North 89°42'52" West, 925.16 feet to the Easterly right of way of U.S. Highway No. 95; thence, along said right of way, South 22°58'36" West, 130.05 feet; thence leaving said right of way, South 89°42'52" East, 977.08 feet to the East line of the Northwest Quarter of Section 14; thence, North 0°33'04" West, 120.00 feet to the TRUE POINT OF BEGINNING.

LESS that portion previously deeded to the State of Idaho, as shown by the Warranty Deed recorded January 17, 1997, as Instrument No. 184214, records of Boundary County, Idaho.

PARCEL II

A tract of land in the Northeast Quarter of the Northwest Quarter (NE1/4 NW1/4) of Section Fourteen (14), Township Sixty-two (62) North, Range One (1) East, B.M., Boundary County, Idaho, more particularly described as follows:

Commencing at a point on the East line of the Northwest Quarter (NW1/4) of said Section Fourteen (14), which is South 0 degrees 33' 04" East, 1163.41 feet from the North Quarter corner of Section Fourteen (14); thence, North 89 degrees 42' 52" West, 525.16 feet to the TRUE POINT OF BEGINNING; thence, South 0 degrees 33' 04" East, 111.00 feet; thence, North 89 degrees 42' 52" West, 400.00 feet, to the Easterly right of way of U. S. Highway No. 95; thence, along said right of way, North 22 degrees 58' 36" East, 120.30 feet; thence, South 89 degrees 42' 52" East, 351.97 feet to the POINT OF BEGINNING.

LESS: A parcel of land being on the Southeasterly side of the centerline of U. S. Highway No. 95, Project No. NH-F-5116 (026), Highway Survey, as shown on the plans thereof, now on file in the office of the Idaho Transportation Department, and being a portion of the Northeast Quarter of the Northwest Quarter (NE1/4 NW1/4) of Section Fourteen (14), Township Sixty-two (62) North, Range One (1) East, B.M., Boundary County, Idaho, described as follows, to-wit:

Commencing at the North quarter corner of Section Fourteen (14), Township Sixty-two (62) North, Range One (1) East, B.M.; thence, South 0 degrees 31' 21" East along the North-South centerline of said Section Fourteen (14) a distance of 1163.26 feet (shown of record to be 1163.41 feet) to a point in the extended North line of a parcel of land as described in that certain Warranty Deed recorded in Book 98 of Instruments at page 599, records of Boundary County, Idaho; thence, North 89 degrees 41' 44" West (shown of record to be North 89 degrees 42' 52" West) along the extended North line and North line 865.93 feet to a point in a line parallel with and 100.0 feet Southeasterly from centerline that bears South 66 degrees 59' 35" East from Station 171 + 23.58 of said U. S. Highway No. 95, Project No. NH-F-5116 (026) Highway Survey, being the REAL POINT OF BEGINNING; thence, South 23 degrees 00' 25" West along said parallel line 120.41 feet to a point in the South line of the said parcel opposite Station 170 + 03.17 of said Highway Survey; thence North 89 degrees 41' 14" West along said South line 11.03 feet to the Southwest corner of the said parcel; thence, North 22 degrees 56' 46" East (shown of record to be North 22 degrees 58' 36" East) along the said Northwesterly line of the said parcel 120.35 feet to the Northwest corner of the said parcel; thence South 89 degrees 41' 44" East along the said North line 11.17 feet to the REAL POINT OF BEGINNING.

Highway Station Reference: 170 + 03.17 to 171 + 23.58

The bearings as shown in the above land description, unless otherwise noted, are from the Idaho Plane Coordinate System, based on the transverse mercator projection for the West Zone of Idaho.

279700

Any right of way fencing to be constructed is not necessarily intended to designate the property line between Grantor and the State, and any variance between the location of right of way fencing and the actual property line as herein described shall not be construed as a modification or alteration of this description.

PARCEL III

A tract of land in the Northeast Quarter of the Northwest Quarter of Section 14, Township 62 North, Range 1 East, B.M., Boundary County, Idaho, more particularly described as follows:

Beginning at a point on the east line of the Northwest Quarter of said Section 14, which is South 0°33'04" East, 1130.42 feet from the North Quarter corner of the Section thence parallel with the north line of the Northwest Quarter, North 89°42'52" West, 302.12 feet; thence South 0°33'04" East, 144.00 feet; thence South 89°42'52" East, 302.12 feet, to the east line of the Northwest Quarter; thence along the east line of the Northwest Quarter, North 0°33'04" West, 144.00 feet to the TRUE POINT OF BEGINNING

PARCEL IV

A tract of land in the Northeast Quarter of the Northwest Quarter of Section 14, Township 62 North, Range 1 East, B.M., Boundary County, Idaho, more particularly described as follows:

Commencing at a point on the east line of the northwest Quarter which is South 0°33'04" East, 1130.42 feet from the North Quarter corner of the Section; thence parallel with the North line of the Northwest Quarter, North 89°42'52" West, 302.12 feet, to the TRUE POINT OF BEGINNING; thence parallel to the north line of the Northwest Quarter, North 89°42'52" West, 560.74 feet to the easterly right of way of U.S. Highway No. 95; thence, along said right of way, South 22°58'36" West, 35.76 feet; thence leaving said right of way, South 89°42'52" East, 351.97 feet; thence South 0°33'04" East, 111.00 feet; thence South 89°42'52" East, 223.04 feet; thence North 0°33'04" West, 144.00 feet to the TRUE POINT OF BEGINNING.

LESS that portion of the Highway right of way previously deeded to the State of Idaho and further described in the Warranty Deed recorded December 2, 1996, as Instrument No. 183779, records of Boundary County, Idaho.

STATE OF IDAHO }
County of Boundary } SS.
Filed by: Boundary Abstract
on 10-30-2019 at 1:46 p.m.
Glenda Porton M. G. Porton
County Recorder By Deputy
Fees 15.00 charge
Mail to BA

STATE OF IDAHO }
County of Boundary } SS.
Filed by: _____
County: _____ By Deputy: _____
Fees \$: _____
Mail to: _____



IDAHO TRANSPORTATION DEPARTMENT

600 W. Prairie Ave.
Coeur d'Alene, ID 83815-8764

(208) 772-1200
itd.idaho.gov

April 7, 2022

Charles E. Schrock

Bonnerr Ferry, ID 83805

RE: PERMIT 1-22-046
US-95, MP 510.15 (R) 40' Commercial AP in existing location/ Joint Use for 3 parcels

Enclosed is a right-of-way encroachment permit for the above referenced location. All contents including this letter and any special provisions that accompany the permit become part of the approved permit.

A copy of this permit must be with the person at which time work is being done inside the right-of-way. Contact ITD maintenance foreman, George Shutes, both prior to your work and at the conclusion for inspection. George can be reached at (208) 267-3531. Failure to contact the maintenance foreman will result in voidance of the permit. Please review the Code of Federal Regulations safety clothing requirements for working in the right of way and also General Provisions on the second page of the ITD 2109.

Special provisions are as follows:

- *Permit for existing approach*
- *MUTCD traffic control shall be in place before work begins*
- *Per attached diagram, removing the south approach and retaining/combining the north approach for joint use*
- *This permit is only approved for the existing uses in place. Any future commercial, industrial or residential developments, or divisions of land will require a new permit and could trigger the need for a traffic impact study for improvements to the highway; ie. Turn lanes. Any future changes in use of the access approved in this permit requires a review by ITD and the existing permit is subject to become VOID.*

Buried utility facilities owned by the State could be located within the project limits and may or may not be shown on the project plans. State owned utility facilities include but are not limited to traffic signals, illumination, traffic recording sites, weather monitoring sites, video detection systems, and electronic message signs. The contractor is to request locates of buried utility facilities owned by the State by contacting the District Traffic Electrician at (208) 772-1256.

If the permitted work does not begin within one (1) year of issuance of permit, the permit shall be considered void. At the discretion of the District Engineer, a one-time extension, not to exceed six (6) months, may be granted if a written request is received from the permittee prior to the expiration date.

If you have any questions pertaining to the permit, please contact me at (208) 772-1297 or stacy.simkins@itd.idaho.gov

Sincerely,

Stacy Simkins
District 1 Traffic

cc: DTE/file
MTNCE/Shutes

Permit Approval Exhibit A

Idaho Statute Title 55, Chapter 22, Section 55-2201 through 55-2210 requires that if excavation is involved, the applicant must notify the One-Call Service by calling 8-1-1 at least two business days and not more than 10 business days before the start of excavation. Please go to <http://www.digline.com/index.php> for more information.

Construction traffic control devices shall be crashworthy and meet the requirements of NCHRP-350 as follows:

Category 1 Work Zone Safety Devices; including cones, drums, tubular markers, and delineators shall meet the requirements.

Category 2 Work Zone Safety Devices; including barricades, portable sign stands with signs, vertical panels, Category 1 devices with auxiliary lights and/or signs, and devices under 100 lbs (45 kg) shall meet the requirements.

Category 3 Work Zone Safety Devices; including portable signs with hard (plywood, aluminum) substrate, temporary portable concrete barrier, and all devices exceeding 100 lbs (45 kg) and/or "expected to cause significant occupant velocity change" shall meet the NCHRP-350 requirements with the following exception:

Crash Cushions and Truck Mounted Attenuators shall meet NCHRP-350 requirements if purchased AFTER October 1, 1998. All crash cushions and truck mounted attenuators purchased PRIOR to October 1, 1998 may continue to be used until they complete their normal service life if they meet NCHRP-230 requirements.

Category 4 Work Zone Safety Devices; including portable changeable message signs, arrow panels, and other trailer mounted devices may be used without attenuation. These devices may be placed behind crashworthy barriers or shielded with TMA's or crash cushions providing the attenuation does not impair their functionality or create a hazardous condition

The permittee shall submit proof of compliance with NCHRP-350 requirements upon request from an Idaho Transportation Department representative.

MUTCD Section 6E.02 High-Visibility Safety Apparel Standard:

For daytime and nighttime activity, flaggers shall wear safety apparel meeting the requirements of ISEA "American National Standard for High-Visibility Apparel" (see Section 1A.11) and labeled as meeting the ANSI 107-1999 standard performance for Class 2 risk exposure. The apparel background (outer) material color shall be either fluorescent orange-red or fluorescent yellow-green as defined in the standard. The retroreflective material shall be orange, yellow, white, silver, yellow-green, or a fluorescent version of these colors, and shall be visible at a minimum distance of 300 m (1,000 ft). The retroreflective safety apparel shall be designed to clearly identify the wearer as a person.

For nighttime activity, safety apparel meeting the requirements of ISEA "American National Standard for High-Visibility Apparel" (see Section 1A.11) and labeled as meeting the ANSI 107-1999 standard performance for Class 3 risk exposure should be considered for flagger wear (instead of the Class 2 safety apparel in the Standard above).



BOUNDARY COUNTY PLANNING AND ZONING

Street address: 6452 Kootenai St Bonners Ferry, ID 83805 Mailing address: PO Box 419, Bonners Ferry, ID 83805 Phone (208) 267-7212
www.boundarycountyid.org (web page)

February 23, 2023

**BOUNDARY COUNTY PLANNING AND ZONING COMMISSION
FINDINGS AND DECISION, JANUARY 26, 2023, PUBLIC HEARING
FILE #23-0023, SCHROCK REV INTER VIVOS TRUST
CONDITIONAL USE PERMIT**

Present at the hearing were Planning and Zoning Commissioners Caleb Davis (Chair), Wade Purdom (Co-Chair), David Hollabaugh, John Cranor, Scott Fuller, and Adam Isaac, Acting Zoning Administrator Clare Marley and Assistant Planner Tessa Vogel.

Public Present: Charles Schrock (applicant) and Dick Staples (representative).

FILE 23-0023, CONDITIONAL USE PERMIT, SCHROCK REV INTER VIVOS TRUST is requesting approval for a conditional use permit for a 21,000 square foot existing wood products manufacturing structure on a 2.15-acre parcel. (A parcel line adjustment to increase the current 1.59-acre parcel is pending.) The site is in the Commercial/Light-Industrial zone. The parcel is located off Enterprise Way and State Highway 95 and is identified as Assessor's Parcel RP62N01E144210A in Section 14, Township 62 North, Range 1 East, B.M.

Staff Presentation: Assistant Planner Tessa Vogel presented the staff report and reviewed the standards, findings of fact, and proposed conditions of the conditional use permit (CUP).

Applicant Testimony: Applicant Charles Schrock explained the timeline of the violation and the use of the structure.

Public Testimony: None.

Applicant Rebuttal/Closing Statements: None.

Deliberation: The Chair closed the hearing and called for deliberation.

Findings, Motion, and Reasoned Decision: Commissioner Hollabaugh moved, and Commissioner Isaac seconded the motion, to approve the conditional use permit for a manufacturing structure greater than 8,000 square feet to allow for a 21,000 square foot existing wood products manufacturing structure, File #23-0023, 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, conclusions and conditions as written and determined this action does not result in a taking of private property. The Chair declared the motion approved by a unanimous voice vote.

Applicable Zoning & Conditional Use Permit Standards:

Standards Analysis & Evidence of Applicable Codes and Comprehensive Plan

Idaho Code §67-6512, Special Use Permits, Conditions, & Procedures:

A special use permit/conditional use permit may be granted to an applicant if the proposed use is conditionally permitted by the terms of the ordinance, subject to conditions pursuant to specific provisions of the ordinance, subject to the ability of political subdivisions, to provide services for the proposed use and when it is not in conflict with the plan.

Staff: The Boundary County code allows for conditional use permits in **Section 7** of the County land use ordinance, which states, "where a specific or general use is allowed for consideration as a conditional use with a zone district, a conditional use permit shall be approved and issued prior to the onset of development or establishment of that use. A conditional use application will encompass all development proposed on a single parcel or lot, and upon issuance, the application, as modified by standards, terms or conditions imposed by the conditional use permit, will become the controlling plan for that parcel or lot, and will not be changed or expanded without application for a new development permit."

A CUP is required for commercial and light industrial uses with primary structures exceeding 15,000 square feet in the Commercial/Light-Industrial zone (**15.14.5.1**).

Boundary County Land Use Ordinance, 9B18LOV2, Sections 7.7.1 – 7.7.9:

(1) Whether the application, site plan and additional documentation provided by the applicant sufficiently demonstrate the full scope of the use proposed.

Staff: The CUP application sufficiently demonstrates the scope of the proposal with the CUP, placement permit, and PLA showing the proposed new configuration exhibit, site plan, and floor plan.

(2) Whether the proposed use conforms to all applicable standards established by this ordinance.

Staff: The proposed use of a 21,000 square foot wood products manufacturing structure is a permitted use in the Commercial/Light-Industrial zone through a CUP (**15.14.5.7**). The application for the CUP, placement permit, and a PLA have all been submitted and show that setbacks are being met under the proposed new configuration of the parcel. The structure does not meet setbacks with the current configuration of the parcel.

(3) Whether there is sufficient land area to accommodate the use proposed, and whether development is so timed and arranged so as to minimize adverse effects on surrounding properties and uses.

Applicant: *The building is surrounded by commercial/light-industrial parcels of similar use. The operation is contained within the building – no outside noise.*

Staff: The site is currently 1.59 acres but through the proposed PLA (#23-0024) the site is to increase to 2.15 acres where all setbacks are met. The site is to be served by private septic, wells and Three Mile Water District, Northern Lights, Inc., and the North Bench Fire District. The Commercial/Light-Industrial zone has no minimum density but the size of the parcel must be sufficient to accommodate the use and provide the level of services necessary, which the proposed 2.15-acre parcel is shown to do so.

(4) How the impacts of the use proposed compare with the impacts of existing uses within the zone.

Applicant: *The building is surrounded by commercial/light-industrial parcels of similar use. The operation is contained within the building – no outside noise.*

Staff: The proposed use of industrial manufacturing is similar in impact to other commercial and industrial uses in the vicinity.

(5) Whether concerns raised by other departments, agencies or by the providers of public services, including but not limited to road & bridge, water, electricity, fire protection, sewer or septic, can be adequately addressed.

Applicant: *The building will be served by Three Mile Water District or wells, and a septic system. Access is from an approved approach on Highway 95 along a private road (Enterprise Way) to the building. The road is of adequate width to accommodate emergency vehicles with adequate turnaround at the building.*

Staff: No concerns were raised by the routed agencies. The Airport provided the determination letter from the FAA stating lighting and marking would not be required but if the landowner decided to have lighting and marking it would need to conform with FAA regulations. Panhandle Health District has stated that they have a complete permit, #22-11-03565, for a subsurface sewage disposal system.

(6) The potential benefit to the community offered by the use proposed.

	Applicant: <i>The proposed building will employ 10 to 12 people providing additional employment to the County with no significant impact on the current infrastructure.</i> Staff: The proposed use would provide the employment of 10-12 people.
	(7) Whether specific concerns aired through the public hearing process have validity and whether those concerns can be adequately addressed.
	Applicant: No response provided. Staff: Pending public hearing testimony.
	(8) Whether the use proposed would constitute a public nuisance, impose undue adverse impact to established surrounding land uses or infringe on the property rights of surrounding property owners, and whether terms or conditions could be imposed adequate to mitigate those effects.
	Applicant: <i>No.</i> Staff: The proposed use is set back from the highway and airport boundaries to provide a buffer and all property setbacks have been met. The FAA has stated that the structure does not exceed obstruction standard and would not be a hazard to air navigation so long as their conditions from their determination letter are met (see letter). The Boundary County Airport stated they have no concerns. No public comments were submitted to the record at the time of the completion of this staff report.
	(9) Whether the use proposed would unfairly burden Boundary County taxpayers with costs not offset by the potential benefits of the proposed use.
	Applicant: <i>No.</i> Staff: The proposed use, as described, does not show a potential to pose an unfair burden on Boundary County taxpayers.
	Boundary County Land Use Ordinance, 9B18LOV2, Section 7.8: In considering approval of an application to establish a conditional use, the planning and zoning commission may consider the imposition of terms and conditions as a means of eliminating or mitigating potential adverse effects or to provide for public safety.
	Staff: Draft conditions of approval are listed in the staff report.
	Boundary County Land Use Ordinance, 9B18LOV2, Section 10.2.: In all zone districts, off-street parking areas will be depicted on development permit application, to include access ways, in accordance with the minimum standards here established: Section 10.2.4. Commercial and Industrial Uses 1. Off-street public parking will be provided within 300' of the primary structure for all commercial or industrial uses. 2. Parking will include sufficient area to accommodate the highest number of employees on shift at any one time, to include shift change. 3. Banks, professional offices, retail business establishments and service businesses will provide at minimum on parking space for each 400 square feet of interior space. 4. Warehouse, manufacturing and other industrial businesses will provide at minimum one parking space per 1,000 square feet of interior floor space.
	Staff: 1. Parking is provided within 300' of the primary structure in the form of parking spaces along the northern and eastern sides of the structure. 2. The application states 10-12 people will be employed for the use. The site plan shows a minimum of 21 parking spaces. This does not take into account the open areas around the designated, individual parking spaces that can allow for additional parking. 3. N/A 4. A total of 21 parking spaces are required as the structure is a 21,000 square foot structure for manufacturing. The site plan shows a minimum of 21 parking spaces. Open space on the parcel around the individual parking spaces would allow for additional parking, if needed.

Findings and conclusions:

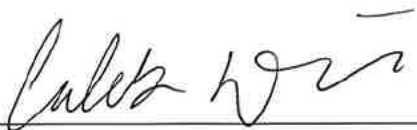
1. The applicant is requesting approval for a conditional use permit for a manufacturing structure greater than 8,000 square feet to allow for a 21,000 square foot existing wood products manufacturing structure.
2. The subject parcel has a comprehensive plan land use and zoning designation of Commercial/Light-Industrial.
3. A manufacturing structure larger than 8,000 square feet is classified as a Land Intensive Use (15.6.6.).
4. Manufacturing is considered a commercial and industrial use (2.8. and 2.29.).
5. A CUP is required for any Land Intensive Uses in the Commercial/Light-Industrial zone (15.14.5.7.).
6. A PLA, file #23-0024, has been submitted to adjust the parcel boundaries to enlarge the subject parcel from 1.59 acres to 2.15 acres and to meet setbacks.
7. A commercial placement permit, file #23-0022, has been submitted for the structure.
8. A total of 10-12 employees are proposed with up to 11 visitors a day anticipated.
9. The days and hours of operation at Monday-Friday, 10-hour days.
10. An existing sign is located at the highway near the entrance onto Enterprise Way, which requires a commercial placement permit due to its size. No permit has been submitted for the sign to date.
11. The site is to be served by septic, wells and Three Mile Water District, Northern Lights, Inc., and the North Bench Fire District.
12. The site is accessed off Enterprise Way (private), which encroaches off Highway 95 (public).
13. The site is within the Airport Overlay Area.
14. The site is not within any area of city impact, mapped wetlands, or special flood hazard areas.
15. The structure has an active building violation, file BV0003-22.

Conditions of approval:

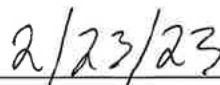
1. The conditional use permit will run with the land to which it is attached, and continue in effect for the life of the use established (Section 7.3.).
2. The approved conditional use permit will be deemed to lapse if work to establish the use has not begun within two (2) years of the date of approval, or when a use established by the conditional use permit is discontinued for a period of two (2) consecutive years. The owner of a property subject to a conditional use permit may request termination of the conditional use permit at any time by notifying the administrator in writing (Section 7.4.).
3. Any change in the use or increase in the use impact shall require a modification of the conditional use permit, including an increase in square footage.
4. The use shall provide and maintain a minimum of 21 parking spaces, based upon a minimum of one space per 1,000 square feet of floor area within the structure.
5. The property line adjustment File #23-0024 shall be completed and recorded prior to issuance of the conditional use permit and placement permit File #23-0022.
6. Per the FAA, if marking/lighting are being accomplished on a voluntary basis, they shall be installed in accordance with FAA Advisory circular 70/7460-1 M.
7. Prior to CUP issuance, the FAA, the Determination of No Hazard to Air Navigation (Aeronautical Study No. 2022-ANM-3638-OE), issued May 18, 2022, shall be complied with fully and written proof of compliance shall be provided to the Boundary County Planning Department.
8. Due to the size of the existing on-site sign, a commercial placement permit shall be submitted for the sign prior to the issuance of this CUP, File #23-0023, and the commercial placement permit, File #23-0022, for the commercial building.

Rights of Applicant:

The applicant is hereby notified of the right to request a regulatory taking analysis pursuant to section 67-8003, Idaho Code. An applicant denied an application or aggrieved by a final decision concerning matters identified in section 67-6521(1)(a), Idaho Code, may seek judicial review under the procedures provided by the Idaho Local Land Use Planning Act, chapter 65, title 67, Idaho Code. This action does not result in a taking of private property.



Caleb Davis, Chair
Boundary County Planning & Zoning Commission



Date:

