

Subject **Idaho Public Records Act Request - Haven Lane/Highland Flats Rd Approach,** [REDACTED]
[REDACTED]
From BK McIntyre [REDACTED]
To <Publicrecordsrequest@boundarycountyid.org>
Cc <bbarton@boundarycountyid.org>, <aryals@boundarycountyid.org>
Date 2026-08-30 07:12 PM



-
- 220209_Decision_Letter_Signed.pdf (~412 KB)

Dear Sir/Ma'am:

This is a public records request submitted pursuant to the Idaho Public Records Act, Idaho Code §§ 74-101 through 74-126.

This request concerns Haven Lane and its approach onto Highland Flats Road, and Planning & Zoning File #22-0209 (John & Jacquelyn Gale Family Trust Conditional Use Permit, [REDACTED] Parcel #RP60N01W021250A), decision dated April 27, 2023 / signed May 25, 2023. This signed decision letter for file #22-0209 is attached for your reference.

I am requesting copies of the following:

1. The original Road & Bridge approach permit for Haven Lane at Highland Flats Road, issued on or about September 12, 2016 and completed on or about July 27, 2017, including any conditions, specifications, or design documents associated with it.
2. The complete Road & Bridge comment letter/memo submitted for review of Planning & Zoning File #22-0209 (referenced in the March 23, 2023 P&Z staff report as being "in the file"), not limited to the summary excerpted in that staff report.
3. Any engineered design or turning-radius plan submitted by or on behalf of the applicant (Gale Family Trust) for RV access at the Haven Lane / Highland Flats Road approach, per Condition of Approval #6 of the decision.
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8. Any snow removal, visibility, or winter-maintenance evaluation conducted for Haven Lane, referenced as a consideration in the March 23, 2023 staff report, if any such evaluation exists.
9. Any complaints, incident reports, or correspondence received by Road & Bridge regarding traffic, road conditions, or safety concerns associated with [REDACTED] or the Haven Lane / Highland Flats Road approach, from October 2022 to the present.

If no responsive records exist for any of the items above, please confirm that in your written response.

Please advise if any fees apply to this request or if additional information is needed to process it. I understand a response is required within three (3) working days under Idaho Code § 74-103(2).

Thank you for your time.

Brian McIntyre
[REDACTED]
[REDACTED]
[REDACTED]

Subject **RE: Idaho Public Records Act Request - Haven Lane/Highland Flats Rd Approach, [REDACTED]**
[REDACTED] PRR 26-363

From Adam Ryals <aryals@boundarycountyid.org>
To <publicrecordsrequest@boundarycountyid.org>
Cc 'Jennifer Maynard' <jmaynard@boundarycountyid.org>, Brad Barton
<bbarton@boundarycountyid.org>
Date 2026-08-31 09:26 AM



-
- 20221207 R&B Suggested Condition.pdf (~245 KB)
 - R&B comments for 22 0209 CUP Gale.pdf (~349 KB)

I have no additional correspondence I could find in Renee's emails. The only R&B comments I found were also in the P&Z file which I have attached.

I have about 45 minutes into it.

Thank you,

Adam

From: publicrecordsrequest@boundarycountyid.org <publicrecordsrequest@boundarycountyid.org>
Sent: Monday, August 31, 2026 8:07 AM
To: Jenn Maynard <jmaynard@boundarycountyid.org>; Adam Ryals <aryals@boundarycountyid.org>; Brad Barton <bbarton@boundarycountyid.org>
Subject: Fwd: Idaho Public Records Act Request - Haven Lane/Highland Flats Rd Approach, [REDACTED]
[REDACTED] PRR 26-363

PRR 26-363

Brad and Adam, I see this was sent directly to you as well, I am including P&Z on this in case there are any violations in process. Let me know what records you may have and time involved, should we need to send an estimate letter.

----- Original Message -----

Subject: Idaho Public Records Act Request - Haven Lane/Highland Flats Rd Approach, [REDACTED]
Date: 2026-08-30 07:12 PM
From: BK McIntyre [REDACTED]
To: Publicrecordsrequest@boundarycountyid.org
Cc: bbarton@boundarycountyid.org, aryals@boundarycountyid.org

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Brian McIntyre

[REDACTED]

Subject **RE: Idaho Public Records Act Request - Haven Lane/Highland Flats Rd Approach, [REDACTED]**
[REDACTED] PRR 26-363

From Jennifer Maynard <jmaynard@boundarycountyid.org>

To 'Adam Ryals' <aryals@boundarycountyid.org>,
<publicrecordsrequest@boundarycountyid.org>

Cc 'Brad Barton' <bbarton@boundarycountyid.org>

Date 2026-08-31 09:29 AM



P&Z has not received any violation inquiries after the CUP issuance to our knowledge. Approximately, 15 mins of searching across emails, databases, the CUP file, and follow-up confirmation with RY.

Jennifer Maynard

Planning Technician

Boundary County Planning and Zoning

6447 Kootenai St #18 | PO Box 419

Bonnors Ferry, ID 83805

Office: 208-267-7212

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From: Adam Ryals <aryals@boundarycountyid.org>

Sent: Monday, August 31, 2026 9:26 AM

To: publicrecordsrequest@boundarycountyid.org

Cc: 'Jennifer Maynard' <jmaynard@boundarycountyid.org>; Brad Barton <bbarton@boundarycountyid.org>

Subject: RE: Idaho Public Records Act Request - Haven Lane/Highland Flats Rd Approach, [REDACTED]
[REDACTED] PRR 26-363

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Adam

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To: Jenn Maynard <jmaynard@boundarycountyid.org>; Adam Ryals <aryals@boundarycountyid.org>; Brad Barton <bbarton@boundarycountyid.org>

Subject: Fwd: Idaho Public Records Act Request - Haven Lane/Highland Flats Rd Approach, [REDACTED]
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PRR 26-363

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To:Publicrecordsrequest@boundarycountyid.org

Cc:bbarton@boundarycountyid.org, aryals@boundarycountyid.org

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Please advise if any fees apply to this request or if additional information is needed to process it. I understand a response is required within three (3) working days under Idaho Code § 74-103(2).

Thank you for your time.

Brian McIntyre

[REDACTED]

Road & Bridge Department
73 Sunrise Rd
P. O. Box 1418
Bonners Ferry, ID 83805



Telephone: (208) 267-3838
Fax: (208) 267-7978
Email: rnelson@boundarycountyid.org
rmorris@boundarycountyid.org

Road & Bridge approach comments

December 6, 2022

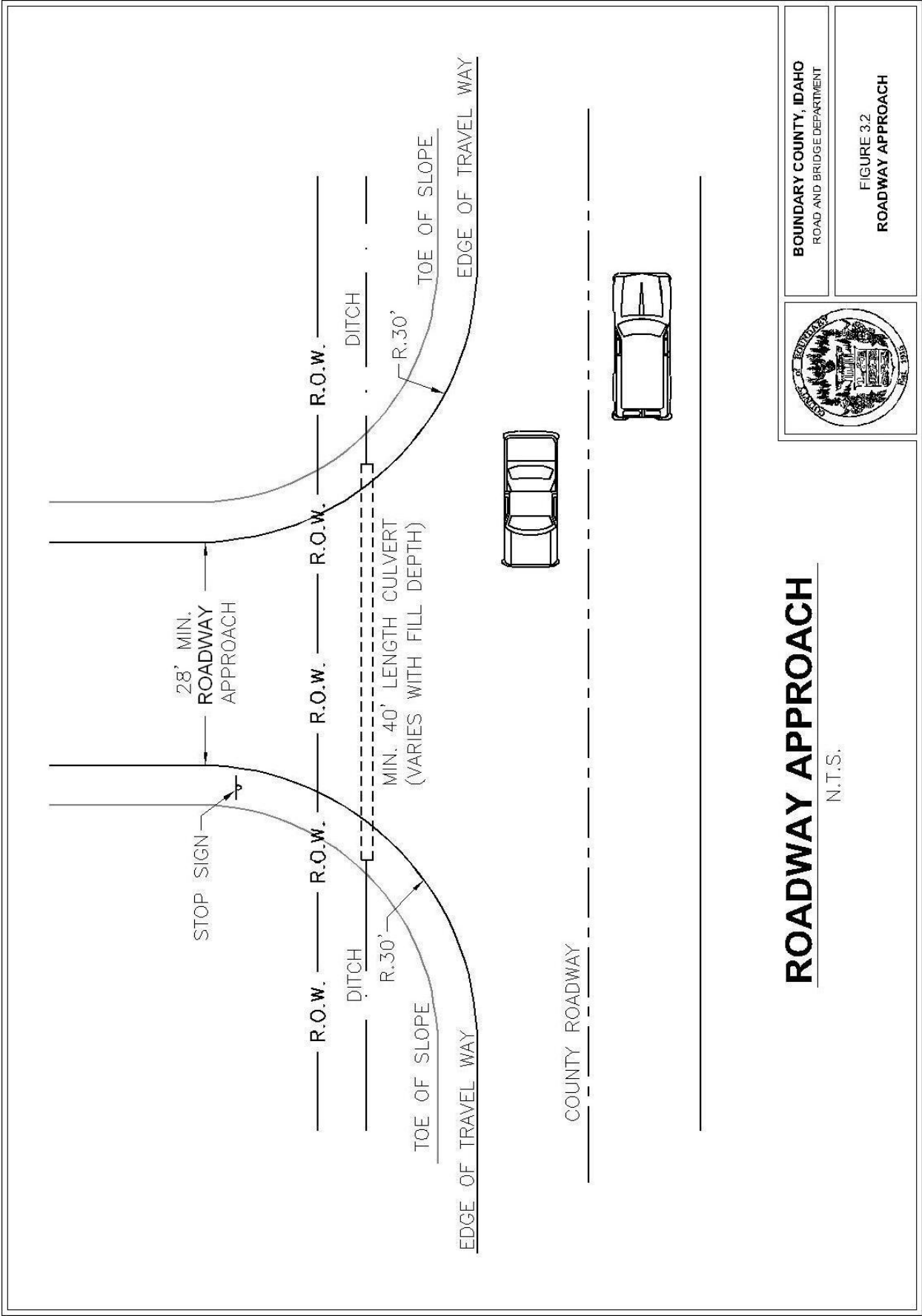
RE: P&Z #22-0209

Conditional Use Permit application, RP6ON01W021250A, Gale Family Trust/Mark Gale

Per application:

- Existing approach off of Highland Flats Road at Haven Lane has an existing Road & Bridge approach permit from 9/12/2016 for a Roadway Approach by Brian and Kirsten McIntyre. The approach construction was completed and permit signed off on 7/27/2017. The location of the approach was per an existing easement.
- Attached is "Figure 3.2 Roadway Approach", showing the requirements for a roadway approach. The current approach meets the width at the right of way line, which is where Road & Bridge's jurisdiction ends.
 - o The 28 feet for the approach opening is designed to allow a car waiting at the stop sign on the private road (Haven Lane in this case) and another car to be turning into the private road and it does not have to stop on the county road (Highland Flats Rd in this case).
- In 2016 the landowners involved with the new private road chose the name of Haven Lane and went through Boundary County's process to have the name approved. At that time the McIntyre's were the only residents using the new private road, however, by being proactive the decision was made to name the private road so there would not a need to change any address in the future. This met Boundary County Road Naming and Addressing Ordinance No. 2007-6.
- Highland Flats Road has a functional road classification of Major Collector and as such connects local roads with arterials, i.e. Highway 95 as well as 2 other major collectors McArthur Lake Road and Deep Creek Loop. The collector roads provide mobility within the county.
 - o As of 2020, the average daily traffic on Highland Flats Road was 633 vehicles per day.
 - o Consideration might want to be given regarding the approach at Haven Lane and if it provides sufficient width for access onto and off of Highland Flats Road by RV's and not impeded traffic traveling on Highland Flats Rd. Applicant may wish to consult an Engineering Firm to determine actual needed width for approach dependent upon size of RV's.
 - o The private road width is outside of Road & Bridge jurisdiction, however, safety is always a concern and having a roadway wide enough for traffic to leave Haven Lane at the same time traffic may be turning onto Haven Lane would seem to be essential for safety of travelers.
 - o Snow removal or storage may also want to be evaluated for Haven Lane, as due to winter weather conditions, the ability to see clearly from Haven Lane prior to turning onto Highland Flats Road should be considered.

Renee Nelson



BOUNDARY COUNTY, IDAHO
ROAD AND BRIDGE DEPARTMENT



FIGURE 3.2
ROADWAY APPROACH

ROADWAY APPROACH

N.T.S.

RE: Boundary County Planning: R&B Input on File #22-0209

rnelson@boundarycountyid.org <rnelson@boundarycountyid.org>

Wed 12/7/2022 10:49 AM

To: Tessa Vogel <tvogel@ruenyeager.com>

Cc: Clare Marley <cmarley@ruenyeager.com>

Tessa,

The only other situation like this in the past we have had was with the Log Inn's RV park. That landowner had to have his engineer design the approaches to meet Road & Bridge acceptance for turning radius onto or off of Tobe Way.

Then after the approaches were designed and approved, they could be constructed, however, we had no jurisdiction over how the roads were constructed within the RV park

Could we add as a condition:

If the RV park is approved, the owner will work with Road & Bridge and will provide engineered designs for review that will accommodate the length of RV's the park will be designed for so that the turning radius of RV's off of and onto Highland Flats Road at Haven Lane can be achieved in conjunction with other traffic on either road. Once the designed has been approved by Road & Bridge, a permit from Road & Bridge will be completed so that construction can begin. Road & Bridge would also request that for the safety of the traveling public, this approach would be designed and constructed prior to use by RV's.

I have attached Boundary County Road Standards for reference if there are questions regarding the private road itself and safety of those traveling on that portion used by the RV's.

Section 4 covers new road construction.

Road & Bridge cannot make a condition for a private road construction, however, the information provided in the ordinance gives construction guidelines for a road that would be constructed to meet county standards if a request was ever made to accept it into the county system. That road construction description would definitely meet the needs of a private road that was used for RV's.

Thanks for your help,

Wasn't quite sure how to cover all of this. Wish we could make the hearing, but I am still working on getting my voice back.

Thanks

Renee

From: Tessa Vogel <tvogel@ruenyeager.com>

Sent: Wednesday, December 7, 2022 8:24 AM

To: rnelson@boundarycountyid.org

Cc: Clare Marley <cmarley@ruenyeager.com>

Subject: Re: Boundary County Planning: R&B Input on File #22-0209

Thank you Renee. We were wondering if you had a way you would like a condition worded if the P&Z Commission decides to make a condition to widen the approach at Highland Flats and Haven Lane? We'd want to make sure it met the County requirements for that portion.

Tessa Vogel, MS

Ruen-Yeager & Associates, Inc.

219 Pine Street | Sandpoint, Idaho 83864

Office: 208.265.4629 ext.208

tvogel@ruenyeager.com • ruenyeager.com

Engineers | Planners | Surveyor



From: rnelson@boundarycountyid.org <rnelson@boundarycountyid.org>

Sent: Tuesday, December 6, 2022 1:58 PM

To: Tessa Vogel <tvogel@ruenyeager.com>

Cc: Clare Marley <cmarley@ruenyeager.com>

Subject: RE: Boundary County Planning: R&B Input on File #22-0209

Tessa,

Thanks, still working on getting my voice back.

I saved R&B comments to the Agency Comments file on Egnyte as R&B comments for 22-0209 CUP Gale.

Thanks

Renee

From: Tessa Vogel <tvogel@ruenyeager.com>

Sent: Monday, December 5, 2022 1:39 PM

To: rnelson@boundarycountyid.org

Cc: Clare Marley <cmarley@ruenyeager.com>

Subject: Re: Boundary County Planning: R&B Input on File #22-0209

Thank you Renee, hope you're feeling better.

Tessa Vogel, MS

Ruen-Yeager & Associates, Inc.

219 Pine Street | Sandpoint, Idaho 83864

Office: 208.265.4629 ext.208

tvogel@ruenyeager.com • ruenyeager.com

Engineers | Planners | Surveyor



From: rnelson@boundarycountyid.org <rnelson@boundarycountyid.org>
Sent: Monday, December 5, 2022 1:37 PM
To: Tessa Vogel <tvogel@ruenyeager.com>
Cc: Clare Marley <cmarley@ruenyeager.com>
Subject: RE: Boundary County Planning: R&B Input on File #22-0209

Tessa,
Yes, I will get a comment by tomorrow.
I've been out sick for the last week and am trying to catch up.
Thanks for the reminder,
Renee

From: Tessa Vogel <tvogel@ruenyeager.com>
Sent: Thursday, December 1, 2022 11:27 AM
To: Renee Nelson <rnelson@boundarycountyid.org>
Cc: Clare Marley <cmarley@ruenyeager.com>
Subject: Boundary County Planning: R&B Input on File #22-0209

Hi Renee:

For file #22-0209, the Gale RV CUP that is going to hearing on 12/08/2022, we received a public comment that had a lot of concerns about Haven Lane (private) that encroaches off Highland Flats Road (public) and we are considering adding a condition recommended in the letter to widen the first ¼ mile of Haven Lane and widen the encroachment for Haven Lane at Highland Flats Road. Would you be able to review the file and provide a comment? I can add the comment to the presentation for the hearing on the 8th. Thanks Renee!

Tessa Vogel, MS

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219 Pine Street | Sandpoint, Idaho 83864

Office: 208.265.4629 ext.208

tvogel@ruenyeager.com • ruenyeager.com

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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)

May 25, 2023

BOUNDARY COUNTY PLANNING AND ZONING COMMISSION FINDINGS AND DECISION, APRIL 27, 2023, PUBLIC HEARING FILE #22-0209, THE JOHN & JACQUELYN GALE FAMILY TRUST CONDITIONAL USE PERMIT

Present at the hearing were Planning and Zoning Commissioners Caleb Davis (Chair), Wade Purdom (Co-Chair), Adam Issac, Bill Benage, Rob Woywod, David Hollabaugh, John Cranor, Acting Zoning Administrator Clare Marley, Contract Planner Tessa Vogel, Road & Bridge Co-Superintendent Renee Nelson, and members of the public.

FILE 22-0209, CONDITIONAL USE PERMIT, THE JOHN & JACQUELYN GALE FAMILY TRUST is requesting approval for a conditional use permit for 6-8 RV pedestals with hookups to allow for a Recreational Hospitality use on a 31.56-acre parcel in the Agriculture/Forestry zone. The parcel is located at 213 Haven Lane and is identified as Assessor's Parcel RP60N01W021250A in Section 2, Township 60 North, Range 1 West, B.M.

Findings, Motion, and Reasoned Decision: Commissioner Woywod moved, and Commissioner Cranor seconded the motion, to approved the conditional use permit for a Recreational Hospitality Use to allow for a maximum of eight (8) RV pedestals with hookups, File #22-0209, 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 amended to add findings and conclusions #11 and conditions #6 and #7, and determined this action does not result in a taking of private property. The Chair declared the motion approved by a 4-2 voice vote with Commissioner Benage abstaining.

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 Recreational Hospitality when there are more than five (5) RV units (**15.5.4. & 15.9.5.2**).

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 application sufficiently demonstrates the scope of the proposal with the site plan showing the location of the proposed RV pedestals, access onto the site, boundaries of the site, and a complete narrative statement in relation to the proposed use.

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

Staff: The use proposed is Recreational Hospitality with more than five units, which is a High Occupancy Use in the Agriculture/Forestry zone; a CUP is required (15.9.5.2.). The application for the CUP has been submitted and reviewed by Planning Staff. The setbacks of the Agriculture/Forestry zone are required to be met, which have been per the site plan.

(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: *Design is on our property surrounded by trees with no neighboring homes in line of sight.*

Staff: The property is 31.56 acres with an existing dwelling on site. All setbacks are shown on the site plan and meet the zone's requirement of a minimum of 25 feet. Haven Lane is a private road that encroaches off of Highland Flats Road, which is a County road. The application states that the site is served by well, septic, and Paradise Valley Fire District.

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

Applicant: *The existing use is an empty field with some trees. If approved, we will be digging a septic and power.*

Staff: The commercial use proposed is similar to those commercial uses in the vicinity of the site and should have no greater of an impact. Panhandle Health District states it has an application, written a permit, and completed a final inspection/approval for a subsurface sewage disposal system for parcel RP60N01W021250A. The permit is #18-11-140720. This permit was written for one, 2-bedroom dwelling. Any construction that creates new or increases wastewater flows must have an approved location for the wastewater. No other agencies routed for comment provided a response.

(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: *We will comply with whatever regulations are in place and obtain the necessary approvals and permits.*

Staff: No concerns were raised by the agencies routed for comment. Panhandle Health District has noted the existing septic permit for the existing dwelling and noted that any addition to the existing system or installation of new systems requires permitting with their department.

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

Applicant: *[It will] alleviate temporary homelessness for close friends and family.*

Staff: The proposed use will provide little to no benefit to the general community due to the RV spots being for the applicant's family and friends when visiting.

(7) Whether specific concerns aired through the public hearing process have validity and whether those concerns can be adequately addressed.

Applicant: *By being present for any questions or concerns, acquiring all necessary permits and following all rules and regulations.*

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: *This will not be a public nuisance.*

Staff: The proposed use is shown to meet the required setbacks and the permitting (CUP) for the use. As this is not classified as a commercial, light-industrial or industrial use nor a mobile home park, it is not required to meet the standards of Section 10. The applicant and their representative will have to work with state agencies and utility companies for the septic, well and electricity work.

(9) Whether the use proposed would unfairly burden Boundary County taxpayers with costs not offset by the potential benefits of the proposed use.

Applicant: No.

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.

Findings and conclusions:

1. The applicants are requesting approval for a CUP for a Recreational Hospitality Use to allow for 6-8 RV pedestals with hookups.
2. A total of 6-8 RV pedestals (units) are proposed, which is classified as a High Occupancy Use (15.5.4.) and requires a CUP (15.9.5.2.).
3. Five (5) or fewer units is classified as a Moderate Use (15.4.11.), which does not require a CUP unless the units are within 500 feet of an existing dwelling (15.9.5.1.).
4. The site is 31.56 acres in size.
5. The site is accessed off Haven Lane (private easement) and served by wells, septic, and the South Boundary Fire District.
6. The site has a comprehensive plan land use and zoning designation of Agriculture/Forestry.
7. A CUP is required for High Occupancy Uses in the Agriculture/Forestry zone (15.9.5.2.).
8. The site is not located in any area of city impact or overlay areas.
9. There are no special flood hazard areas or wetlands present on site.
10. The proposed use is not for the general public as a commercial use but for close family and friends, per the application.
11. The 10 to 12 ½-foot-wide Gale Family Trust parcel (RP60N01W021802A) was created on March 30, 2005, per Instrument #219666. No permits are on file for this land division but due to the date of its creation, the division is grandfathered per Ordinance #2023-2.

Conditions of approval:

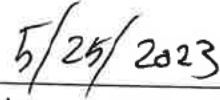
1. The CUP will run with the land to which it is attached and continue in effect for the life of the use established (Section 7.3.).
2. [Standard 2-year expiration condition language] (Section 7.4.).
3. Any change in the use or increase in the use impact shall require a modification of the CUP.
4. Permitting with Panhandle Health District for any modification of the existing septic system or the addition of new septic systems shall be required, with written confirmation submitted to the Boundary County Planning & Zoning Department, prior to any installation of these systems and the issuance of this CUP.
5. All remaining fees due for the processing of this application shall be paid prior to the issuance of the CUP.
6. The applicant shall work with Road & Bridge and shall provide engineered designs for review that will accommodate the length of RVs the park will be designed for so that the turning radius of RVs off of and onto Highland Flats Road at Haven Lane can be achieved in conjunction with other traffic on either road. Once the design has been approved by Road & Bridge, a permit from Road & Bridge will be completed so that construction can begin. This approach shall be designed and constructed prior to the use by RVs.
7. The applicant shall identify the property lines with intervisible markers indicating the site property lines and advising of no trespassing beyond the property boundaries. The markers shall be placed prior to the Recreational Hospitality Use and shall be maintained for the life of the use.

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.



Wade Purdom, Co-Chair
Boundary County Planning & Zoning Commission



Date: