



Bonner County
Board of Commissioners

Brian Domke

Asia Williams

Ron Korn

Public Hearing Minutes
Planning

Date: May 7, 2026
Location: 1500 Hwy 2, Suite 338
Sandpoint, ID 83864
Convene at: 10:00 A.M.

COMMISSIONERS: Domke – Present Williams – Absent Korn – Present
OTHERS PRESENT: Alex Feyen, Daniel Britt, Nate Adams, Kendra Smith

Purpose/Topic Summary: FILE ZC0005-25

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Commissioner Domke reconvened this hearing at 10:00 a.m. on May 7, 2026. Commissioner Domke announced that due to Elections there is not an option to move to a larger room. Commissioner Domke asked if anyone needed assistance for this hearing, there were no requests. Commissioners Domke and Korn advised that they had no conflicts with this file.

File ZC0005-25– DOMAR – Rural 10 to Recreation: The applicants are requesting a zone change from Rural-10 to Recreation on ±1153 acres. The property is zoned Rural-10. The project is located off Peninsula Road and Hope School Road in Section 13,18,19 and 24 Township 56 North, Range 1 and 2 East, Boise-Meridian. The project site is within the service area of Sam Owen Fire District. At their October 23, 2025 hearing, the Zoning Commission recommended denial of this file. **This file was continued from Thursday, March 5, 2026.**

Minutes from March 5, 2026:

Daniel Britt said the applicant has requested to continue the file. Elizabeth, the applicant’s representation, requested a continuation until the beginning of May. They have been working with the fire department regarding road improvement and have not worked out all the kinks just yet. She wants to put her best foot forward when this file is heard and would like to have that issue worked out before this hearing.

Commissioner Williams asked Elizabeth to clarify what they need more time on. Elizabeth talked about still waiting for some letters from nearby agencies that they have not yet received. They also feel like there are some errors in the staff report that they have not had a chance to discuss with Planning Staff.

The commissioners discussed if they should issue a continuation. Commissioner Williams said it sounds like the applicants want a continuation because they anticipate a denial with the current staff report and want to better it in their favor. Commissioner Korn said he sees no issue with granting the applicant’s wish. He works for the people, and wants to give the people every opportunity to be ready to go. They turned to Commissioner Domke to be the deciding factor. Commissioner Domke said he feels that there has been sufficient time to be prepared up to this point. However, he is taking into consideration possible incorrect information in the staff report and wants to mitigate possible appeals or litigation that those potential errors could cause. He thinks the continuation should be granted so this issue can get resolved.

Commissioner Domke made a motion to continue this file, ZC0005-25, to a time and date certain of May 7, 2026 at 10:00 A.M. Commissioner Williams seconded the motion. Commissioner Williams said the public comment timeline is time for the applicant to raise concerns about the staff report. They had more than enough time to do so and

failed to address their concerns in a timely manner. Roll Call Vote: Commissioner Korn – Yes; Commissioner Williams – No; Commissioner Domke – Yes. The motion carries.

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Begin Minutes for May 7, 2026:

Staff Report Presented By: Daniel Britt

- ***Please see attached packet for full details***
- Discussed Agencies and Taxing Districts who provided comment, those that provided no comment, and those that did not respond
- There was a brief discussion regarding late comments that will not be part of the file
- Discussed the proposed project and provided the code sections that are applicable to this file. Daniel discussed each section in detail and whether or not they were in conflict or not in conflict with the codes or comprehensive plan.

Applicant Presented: Elizabeth Koeckeritz, Attorney with Givens Pursley

- ***Presentation available upon request.***
- Thanked the board for the continuation of the hearing as they were able to communicate and answer questions to the community
- Presented the project and provided a brief overview and noted that not all of the acreage is buildable as it is underwater and at this time, they are only requesting a rezone at this time.
- This property has been in the family for generations; she provided the reason why they are wanting this rezone now

Darius Ruen, one of the property owners

- Provided a historical view of the property, family, and ownership of the property

Elizabeth

- Discussed the request for rezoning noting that this has never been requested before, this is the first request
- Presented the zoning of the surrounding properties, all surrounding properties are zoned recreation
- Presented the surrounding uses and densities and errors found in the staff report
- Presented an analysis of the zoning, the policies of the comp plan, and BCRC 12-3.2; presented how this project aligns with the comp plan
- Discussed how the entire area is designated a Resort Community. She then discussed the historical designations and their want to have the property correctly designated.
- Presented an evaluation of BCRC 12.3-2 and the broad range of residential and recreational uses on the property with a note of how much of the land is submerged
- She discussed service providers for roads, sewer, water, etc., she then read the updated comment from R&B.
- If there comes a time for development there will be road dedication and upgrades at that time, as well as any requirements for such development in the future. She reiterated that there is no proposed development at this time.
- Discussed the wildlife preserve and the current uses in this preserve. This property should not be treated differently than other properties in this area

Public Comment Opened at 10:55 a.m.

In Favor

- Byron Ruen – No comment

- Arlen Ruen – No comment
- Darius Ruen - No comment
- Tess Vogel – No comment
- Clare Marley - No comment
- Cathy Ruen - No comment
- Rochelle Ruen - No comment

Neutral 11:05 a.m.

- Neal Jones – He recognizes the ability to do what we want with our property, but there is the consequence that will affect others, it is interesting how it is zoned currently; if there is development allowed then this will affect the roads, services, and the entire area; noted that there are concerns about the future consequences and be considerate of neighbors
- Jerry Morris – Agrees with Mr. Jones; he is neutral and foresees that it could be developed very quickly; has concerns about infrastructure emphasizing fire and roads but it could be a beautiful development if done properly
- Tim French, PHD – Wanted to reiterate that PHD did submit comments and that they are currently unaware of any expansion, if there was any development proposed they would need to be notified

Opposed 11:07 a.m.

- Jane Holzer – This rezone has been denied twice before, the application does not meet criteria for Recreation, the road is inadequate; feels like the zone change is so the property can be sold to a developer
- Christopher Wade – Unhappy with the time of this hearing as it does not allow everyone to attend; his generation down the road will be affected by this and this will be developed; need to stop catering to developers and rich people
- Jerry J. – Commented on the efforts made to communicate with the residents, this should have been figured out prior to requesting this change; no development now is the perfect reason to deny this request; why not sell and let a new owner with a plan request a zone change; has concerns about motor homes that may or may not come with this as well as concerns about the roads
- Brandy Close – Against rezoning even though this is allowed under laws, noted that this is ceded land from the local tribes and that 200 is already bad, and a wildlife preserve is needed; concerned with development
- Beatrice M. – She thinks she is the person with no house they attempted to speak to
- Dave Bowman – The applicant’s attorney they only need to meet two requirements for this zone change, this is not accurate under LLUPA
- Matt Lonscott – **IN FAVOR**, was stepped away from his desk. The applicant is correct in the requirements of a zone change, read from LLUPA about the accuracy of the applicant’s attorney
- Jonna Plante – Concerned when agencies get these requests, do they get all of the information and do they understand all of the rules
- Foster Cline – Impressed with the larger developments in this area, whatever is done with this property needs to work well with everyone
- Karen J. – Not for the zone change, there is enough recreation in this resort area, they are not set up for more
- Joel Fisher – Asked if there could be a show of hands for or against the rezone

Public Comment Closed at 11:31 a.m.

Applicant Rebuttal Presented By: Elizabeth Koeckeritz & Toby McLaughlin

Elizabeth:

- The individuals they reached out to were those who had submitted comments
- Discussed the lack of response by agencies, such as the school district; in her experience they did not respond because there is no impact at this time
- Discussed the comments about there being far too much resort/recreation
- Discussed potential development as it is currently and how it could be done and how that would need to be done as well as traffic counts that would need to be done

Toby:

- They are here to correct the conflict in zoning and the comp plan, they want the property to match the comp plan
- Any development in the future will need to come back to the board, PHD, and look into all of these things; there are no current plans for development at this time
- Discussed private property rights; the Ruen family has owned this property for generations and want this issue corrected

Commissioner Domke called a 5-minute recess at 11:40 a.m.

Reconvened at 11:47 a.m.

Commissioner Domke reminded everyone that public comment is closed.

LAND USE DECISION-MAKING WORKSHEET

Idaho Code §67-6511	The governing board shall analyze proposed changes to zoning ordinances to ensure that they are not in conflict with the policies of the adopted comprehensive plan. If the request is found by the governing board to be in conflict with the adopted plan, or would result in demonstrable adverse impacts upon the delivery of services by any political subdivision providing public services, including school districts, within the planning jurisdiction, the governing board may require the request to be submitted to the planning or planning and zoning commission or, in absence of a commission, the governing board may consider an amendment to the comprehensive plan pursuant to the notice and hearing procedures provided in section 67-6509, Idaho Code. After the plan has been amended, the zoning ordinance may then be considered for amendment pursuant to paragraph (b) of this subsection.	
YES	NO	List the relevant evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
<p>Commissioner Korn – Does not find this to be in conflict with the plan, would move to adopt the staff report</p> <p>Commissioner Domke – Discussed the available services and letters received and noted concerns if development happens in the future; sees issues with water a sewer services, steep slopes, road access, and private property rights, feels these are not in compliance</p> <p>Commissioner Korn noted that those concerns do not apply at this time, there is no proposed development, and property rights don't exist only for the neighbors</p> <p>There was a discussion among the commissioners. NO AGREEMENT</p>		
BCRC 12-215	Whether the application and the documentation provided by the applicant sufficiently meets the applicant contents criteria.	
YES	NO	List the relevant evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
<p>Commissioner Korn – Believes the documentation provided is sufficient</p> <p>Commissioner Domke – Believes this is in compliance</p>		
BCRC 12-216	Whether there is adequate evidence that the proposal is not in conflict with the policies of the comprehensive plan, as found in the adopted Implementation Component.	
YES	NO	List the relevant evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.

Commissioner Korn – Not in conflict for the reasons stated regarding Idaho Code §67-6511 Commissioner Domke – Finds this in conflict for the reasons stated regarding Idaho Code §67-6511 There was a discussion among the commissioners. NO AGREEMENT		
BCRC 12-323(B.1)	Whether the parcel in question meets the requirements for the Rural-10 zoning district.	
YES	NO	List the relevant evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
Commissioner Korn – No, it does not meet the criteria Commissioner Domke – Agrees it does not meet the requirement under the comp plan, but it does meet all other requirement of the current zoning district		
BCRC 12-328(B)	Whether the parcel in question meets the requirements for the Recreation zoning district.	
YES	NO	List the relevant evidence from the <u>record</u> that supports your conclusion and the rationale for the conclusion.
Commissioner Korn – Found this to be compliant with the comp plan designation being resort community, this would better align being zoned recreation Commissioner Domke – Not in compliant, while it does meet certain criteria it does not meet the land being suitable for certain uses (steep slopes for example) and there is not adequate services for future development, especially ingress/egress with the roads Commissioner Korn noted that those concerns do not apply at this time, there is no proposed development, this is just for a zone change There was a discussion among the commissioners. NO AGREEMENT		

Commissioner Korn made a motion to **approve this project FILE ZC0005-25** requesting a zone change from Rural-10 to Recreation on approximately 1153 acres, generally located in Sections 13,18, 19, and 24 Townships 56-57 North Ranges 1-2 East, finding that it is in accord with the Bonner County Comprehensive Plan and Bonner County Revised Code **as enumerated in the following conclusions of law:**

Conclusion 1: The proposal **is not** in conflict with the elements of the Bonner County Comprehensive Plan.

Conclusion 2: This proposal was reviewed for compliance with Title 12, Bonner County Revised Code, and **is** found to be in compliance.

Conclusion 3: The proposal **is** in accord with the purpose of the Recreation District zoning designation, provided at Chapter 3, Title 12, Bonner County Revised Code.

This decision is based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. I further move to adopt the reasoned statement as discussed in deliberation at this hearing and the analysis as set forth in the Staff Report (or as amended during this hearing) and direct planning staff to draft the reasoned statement to reflect this motion as set forth in Idaho Code section 67-6535, have the Chair sign, and transmit to all interested parties. This action does not result in a taking of private property. Commissioner Domke stepped down from the chair and seconded the motion. There was a brief discussion. Roll Call Vote: Commissioner Domke – No; Commissioner Korn – Yes. The motion fails as it is a split decision.

Adjourned at 12:13 p.m.

Deputy Clerk: *Alisa Schoeffel (05.07.2026)*