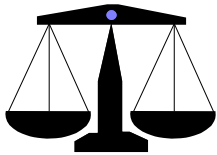


**MINUTES
KOOTENAI COUNTY HEARING EXAMINER
PUBLIC HEARING**

**JUNE 16, 2011
KOOTENAI COUNTY ADMINISTRATION BLDG.
ROOM 1**

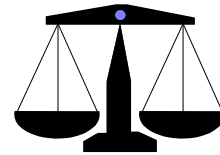
**HEARING EXAMINER
LISA KEY**

**STAFF PRESENT
JAY LOCKHART
SCOTT CLARK
KATHRYN FORD**



**MINUTES
PREPARED BY:**

KATHRYN FORD
Recording Secretary



**MINUTES
REVIEWED BY:**

JAY LOCKHART
Planner II



LISA KEY
Hearing Examiner

The Official Record of Public Hearing is on a CD recording available at the Kootenai County Community Development.

Lisa Key called the meeting to order at 6:00 p.m.

The Hearing Examiner explained that the purpose of the public hearing is to take testimony on the items that appear on the agenda.

The Hearing Examiner will review the testimony presented and make written recommendations to the Board of County Commissioners, who will make the final decision.

The hearing was adjourned at 6:24 p.m.

HEARING EXAMINER MINUTES

JUNE 16, 2011

CASE NO. ZON11-0002 *Continued from May 5, 2011*

Type: Zone Change, a request by Richard Snyder for Hidden Lakes Partnership, to change the zoning classification from Agricultural to Agricultural Suburban on approximately 136.4 acres. The purpose of the zone change is to allow the property owner to correct parcels that were illegally split. The subject site is located on the north side of E. Rookery Road at 675 E. Rookery Road. The site is described as Tax #18017 [IN E2-SW] & TAX #16201 EX TAX #s E2-E2-SE in Section 36, Township 52 North, Range 04 West, B. M., Kootenai County, Idaho. The parcel numbers are 52N04W-36-5300 & 52N04W-36-7300.

Staff Presentation: Jay Lockhart, Planner II, stated this application was continued from the hearing held on May 5, 2011 to allow the applicant time to complete a Lot Line adjustment before the Zone Change can be considered for approval. The applicant's representative is prepared to submit those documents. The approval of the zone change request would allow the property owner an opportunity to correct parcels that were illegally split and move forward to apply for a subdivision. This site is adjacent to the City of Hayden but is not within their Area of City Impact (ACI). Staff received comments from five public agencies. There were no concerns regarding the Zone Change. All comments were directed to future development. The site was posted and based on the signed affidavit in the file, the public notice requirements have been met.

Applicant Presentation: Cindy Espe, applicant representative, requested this application be considered for approval to correct the illegal split. The neighbors Quitclaim Deed needed for the boundary line adjustment was completed and recorded on June 2, 2011. A copy of the deed with the legal description for the Clegg property was submitted (HE 1000).

Exhibits: HE 1000 – Quitclaim Deed, Boundary Line Adjustment submitted by Cindy Espe.

Public Testimony: Comment Sheets submitted: 1, Applicant/Representatives – 1; In Favor-0, Neutral-0, Opposed-0. The names and address of the individuals speaking or submitting comments are part of the record.

Applicant's Rebuttal: None.

There being no further comments from the public, testimony was closed on this item at 6:04 p.m. The Hearing Examiner, Lisa Key, will review this case and submit her written report to the Board of County Commissioners within two weeks.

Submitted by,

Kathryn Ford
Recording Secretary

HEARING EXAMINER MINUTES
JUNE 16, 2011

CASE NO. VAR11-0001

Type: Variance, a request by Stan and Leslie Covey for a variance to the Kootenai County Zoning Ordinance, to allow for a seven (7) foot variance to the twenty-five (25) foot front yard setback as well as a five (5) foot variance to the ten (10) foot side yard setback. The Applicant proposes to construct a 20' X 30' garage eighteen (18) feet in from the property line. The parcel is located on approximately 0.2736 acres in the Restricted Residential zone. The site is located at 211 S. Getaway Court in Harrison, ID. The site is described as LELAND TURNER BAY TR, LT 7, W2-LT 6, BLK 1, of Section 30 Township 49, Range 03 West, B.M. Kootenai County, Idaho. The parcel number is 0-4880-001-007-A.

Staff Presentation: Jay Lockhart, Planner II, introduced the application by stating the variance request is to allow for a seven foot variance to the twenty-five foot front yard setback as well as a five foot variance to the ten foot side yard setback to construct a 20'x30' garage. The site is not within an Area of City Impact (ACI). Staff received six public comments in support of this request. The site was posted and based on the signed affidavit, the public notice requirements have been met.

Applicant Presentation: Stan Covey, applicant, requested this application be considered for approval. The parcel was used as their family vacation site. As of six years ago it has become their main residence. The variance is to be able to build a garage and have Ms. Covey's vehicle emergency ready to reduce her response time. Ms. Covey is a volunteer EMT for the City of Harrison ambulance as well as the East Side Fire Department quick response unit. Her shift is 24 hours and in the winter months her vehicle takes additional critical time to prepare for response due to the winter conditions. The site does not have enough room to build within the 25 foot setback requirements with the existing pad and structure for the pump house well.

Exhibits: None.

Public Testimony: Comment Sheets submitted: 2, Applicant/Representatives – 2; In Favor-0, Neutral-0, Opposed-0. The names and address of the individuals speaking or submitting comments are part of the record.

Applicant's Rebuttal: None.

There being no further comments from the public, testimony was closed on this item at 6:11 p.m. The Hearing Examiner, Lisa Key, will review this case and submit her written report to the Board of County Commissioners within two weeks.

Submitted by,

Kathryn Ford
Recording Secretary

HEARING EXAMINER MINUTES

JUNE 16, 2011

CASE NO. VAR11-0004

Type: Variance, a request North Idaho College for a variance to the Kootenai County Zoning Ordinance #401, to allow for a forty-five (45) foot variance to the fifty (50) foot front yard setback in the Industrial Zone and to the Flood Damage Prevention Ordinance #441, so that the top of the lowest floor of the structure may be placed at the base flood elevation, rather than three (3) feet above base flood elevation. The parcel is located on approximately 5.281 acres in the Industrial zone. The site is located on the lake side of Rosenberry Drive (The Dike Road), on the North Idaho College campus in Coeur d'Alene. The site is described as FT SHERMAN ABN'D MIL RES, LT 46 & 47 SW OF DIKE of Section 14 Township 50, Range 04 West, B.M. Kootenai County, Idaho. The parcel number is 0-2660-000-047-A.

Staff Presentation: Jay Lockhart, Planner II, stated the applicant is requesting a variance to Zoning Ordinance #401 in the Industrial zone to replace the existing boat storage facility. The request also includes the Flood Damage Prevention Ordinance #441 to allow the top of the lowest floor of the structure to be placed at base flood elevation. The site is within the City of Coeur d'Alene Area of City Impact (ACI). A memo was received from the City of Coeur d'Alene stating that they have no objections to the Variance from the Flood Damage Prevention Ordinance and that the construction proposed is acceptable to the city. The site was posted and based on the signed affidavit, the public notice requirements have been met.

Applicant Presentation: Paul Chivvis, applicant, introduced the variance application stating it is needed for expansion storage of expensive equipment. The current building is breaking down and the replacement building would be a pole barn structure much stronger and more weather tight. Having the structure built at the same level assists in moving the equipment in and out. Eric Olson, applicant representative, added due to the site situated at the top of the slope along the North Idaho College beach a fifty foot setback would put it in a volleyball court and sliding it down would cause the building to be too elevated. The college is not in-favor of losing the public ground. The variance would be in the public interest and consistent with the Comprehensive Plan designations. The Flood Ordinance portion of the variance is not a necessity since the stronger building could withstand a flood and the equipment stored are watercrafts. Mr. Olson also stated that the public and the college have nothing to lose if this is built at flood level but a building moved closer to the beach takes valuable public land and beach. Another route instead of a variance would be to consider annexation into the City of Coeur d'Alene and the college is not prepared to request this for one small building.

Exhibits: None.

Public Testimony: Comment Sheets submitted: 2, Applicant/Representatives – 2; In Favor-0, Neutral-0, Opposed-0. The names and address of the individuals speaking or submitting comments are part of the record.

Applicant's Rebuttal: None.

There being no further comments from the public, testimony was closed on this item at 6:24 p.m. The Hearing Examiner, Lisa Key, will review this case and submit her written report to the Board of County Commissioners within two weeks.

Submitted by,

Kathryn Ford
Recording Secretary