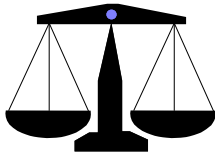


**MINUTES
KOOTENAI COUNTY HEARING EXAMINER
PUBLIC HEARING**

**JUNE 4, 2015
KOOTENAI COUNTY ADMINISTRATION BLDG.
ROOM 1**

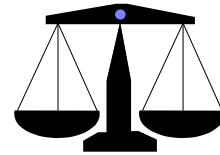
**HEARING EXAMINER
SHARON MOHR**

**STAFF PRESENT
MEL PALMER
DAVID CALLAHAN
KATHRYN FORD**



**MINUTES
PREPARED BY:**

KATHRYN FORD
Recording Secretary



**MINUTES
REVIEWED BY:**

MEL PALMER
Planner II



SHARON MOHR
Hearing Examiner

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

Sharon Mohr called the meeting to order at 6:01 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 7:05 p.m.

HEARING EXAMINER MINUTES

JUNE 4, 2015

CASE NO. MSP15-0011

Type: Subdivision, a request by Rimrock Meadows Estates Second Addition. The Applicant is requesting preliminary approval of a phased major subdivision consisting of 58 residential lots on 58 acres in the Restricted Residential zone. The project site includes all of five parcels and the south 26 feet of a sixth parcel. Water will be provided by North Kootenai Water and Sewer District and sewer service will be provided by Hayden Lake Recreational Water and Sewer District. Access to the proposed lots will be via an internal gated private road system from N. Meadow Wood Lane. The project site is located on both sides of N. Meadow Wood Lane, between Lancaster Road and E. English Point Road. The project site is within the City of Hayden Lake Area of City Impact. The parcel numbers and descriptions are: Parcel No.1) 0-6610-00A-008-0 is described as: Rimrock Meadows Estates, LT 8 BLK A; Parcel No.2) 0-6610-00A-009-0 is described as: Rimrock Meadows Estates, LT 9 BLK A; Parcel No.3) 0-6610-00A-010-A is described as: Rimrock Meadows Estates, LT 10 BLK A EX TAX #22148; Parcel No.4) 0-6610-00B-008-0 is described as: Rimrock Meadows Estates, LT 8 BLK B; Parcel No.5) 0-6610-00B-009-0 is described as: Rimrock Meadows Estates, LT 9 BLK B; Parcel No.6) 0-6611-001-001-0 is described as: Rimrock Meadows Estates 1st Add, LT 1 BLK 1, All of the parcels are located in Section 8, Township 51 North, Range 03 West, B. M., Kootenai County, Idaho. (*Planner-Mel Palmer*)

Staff Presentation: Mel Palmer, Planner II, introduced the application stating the phased major subdivision consist of 58 residential lots on 58 acres is in the Restricted Residential zone. Ms. Palmer provided Rimrock Meadows Estates Subdivision plat (HE 1000a) and First Addition plat (HE 1000b) for reference and language for additional conditions (HE 1001 and HE 1002) for the proposed Second Addition plat. The site was posted and based on the signed affidavits in the file, the public notice requirements have been met.

David Callahan, Director, added the practice of placing conditions on the face of the plat is a precautionary measure for any future property owner to know what is being purchased. This placement will also assist with certain issues that may need to come forward once a building permit is submitted for review.

Applicant Presentation: Bart North, Applicant Representative, stated the applicant is agreeable to the findings in the staff report. He added in his opinion the conditions may be better placed in the CCR's or in the architectural controls rather than on the face of the plat. If the conditions were to be placed on the plat he would like to recommend the language to include in Condition 6.13 **“unless it can be demonstrated through further site Geo Technical analysis that such a plat restriction is unnecessary”** and to include Condition 6.14 **“through a further site Geo Technical Analysis”**. Mr. North read the suggested changes into the record with no exhibit presented.

Hearing Examiner Mohr requested Mr. North to address Phase Three having 9 lots instead of the minimum requirement of 10 lots, the Comprehensive Plan designation of “Transitional”, and the burden of impact the subdivision may have on the schools.

Mr. North stated the plat could be revised to reflect the ten lots that are required by ordinance and he was not prepared to begin discussion on the Comprehensive Plan but “Transitional” would seem to be the nature of how the neighborhood is developing and transitioning through residential development. He added there is a bus pickup for a few children but he cannot predict the size of families moving in but they will be taxed and using the schools.

Hearing Examiner Mohr stated she was going to take public comment and then make a final determination if she would need to continue the hearing to a date certain due to application changes.

Exhibits: HE 1000a – Original plat 03-24-93 for Rimrock Meadows Estates submitted by Mel Palmer.
HE 1000b – First Addition plat of 12-10-14 submitted by Mel Palmer.
HE 1001 – Condition 6.11 for Lake Highway District submitted by Mel Palmer.
HE 1002 – New Condition reference for road maintenance submitted by Mel Palmer.

HEARING EXAMINER MINUTES
JUNE 4, 2015

Public Testimony: Comment Sheets submitted: 6, Applicant/Representatives - 2; In Favor - 1, Neutral - 3, Opposed – 0. The names and address of the individuals speaking or submitting comments are part of the record. The Public Testimony referencing the application had comments regarding:

- Geological Technical Report should be considered for the basement issues
- There are children in the neighborhood that support the school district concerns
- Neighboring subdivisions have had drainage problems

Applicant Rebuttal: Bart North, Applicant Representative, added test holes have shown no evidence of ground water. They will do a deeper analysis for an amended Geological Technical Report to support the suggested plat notes changes. They are past the negotiating stages with the Lakes Highway District and working on construction details since the district is one of the gate keepers to be able to have the project go forward. Mr. North requested some latitude to apply further Geological Technical analysis for plat conditions and would be willing to delete Phase Three from the proposed application if the public hearing could be completed this evening. He added the owner has health concerns and it would become a financial hardship if this application were delayed due to application revisions.

Mel Palmer, Planner II, stated staff would agree to eliminate Phase Three and consolidate that phase into either Phase One or Phase Two and could work with the conditions of the plat with Geological Technical Report submitted or if an amended report were submitted.

David Callahan, Director, added he is fine with careful crafting of conditions and they may consider no Geological Technical plat notes but if it is needed it has to be addressed.

There being no further comments from the public, Hearing Examiner Mohr stated she had enough information to development her recommendation without Phase Three and testimony was closed on this item at 6:50 p.m. The Hearing Examiner, Sharon Mohr 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 4, 2015

CASE NO. ZON15-0005

Type: Zone Change, a request by Doc V. Symons, to change the zoning classification of Parcel No. 51N05W-11-7000, from Agricultural to Rural. The subject parcel is an abandoned 60 foot railroad right-of-way. The Applicant would like to include it in a concurrent four residential lot minor subdivision known as "Sennebec Addition". The Parcel Number is 51N05W-11-7000, which is described as: ABAND 60 FT RR IN NW-SE & E2-SW & SW-SW, Section 11, Township 51 North, Range 05 West, B. M., Kootenai County, Idaho. (*Planner-Mel Palmer*)

Staff Presentation: Mel Palmer, Planner II, introduced the application zone change request from Agricultural to Rural within the Rathdrum Area of City Impact (ACI), with a Comprehensive Plan designation of "Border". Ms. Palmer stated for the record a correction in the analysis portion of the staff report that the parcel is not useful for agricultural purposes. The site was posted and based on the signed affidavits in the file, the public notice requirements have been met.

Applicant Presentation: Rod Burleson, Applicant Representative, stated the parcel is abandoned and has been zoned Agricultural since 1973. The zone change would give an additional piece for access to a subdivision as a parcel and remain vacant for a private gravel common road. Mr. Burleson submitted exhibits (HE 1000 and HE 1001) for the hearing examiner to reference. The gas lines would be at the back of any future constructed lots.

Exhibits: HE 1000 – Current site photographs submitted by Rod Burleson.

HE 1001 – Sennebec Addition showing the area submitted by Rod Burleson.

Public Testimony: Comment Sheets submitted: 4, Applicant/Representatives - 3; In Favor - 0, Neutral - 0, Opposed – 1. The names and address of the individuals speaking or submitting comments are part of the record. The Public Testimony referencing the application had comments regarding:

- Rathdrum Power needs assurance all laws, codes and regulations are followed with the land

Applicant Rebuttal: None.

There being no further comments from the public, testimony was closed on this item at 7:05 p.m. The Hearing Examiner, Sharon Mohr will review this case and submit her written report to the Board of County Commissioners within two weeks.

Submitted by,

Kathryn Ford, Recording Secretary