

**MINUTES  
KOOTENAI COUNTY HEARING EXAMINER  
PUBLIC HEARING**

**DECEMBER 3, 2015  
KOOTENAI COUNTY ADMINISTRATION BLDG.  
ROOM 1**

**HEARING EXAMINER  
SHARON MOHR**

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



**MINUTES  
PREPARED BY:**

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**KATHRYN FORD**  
Recording Secretary



**MINUTES  
REVIEWED BY:**

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**MEL PALMER**  
Planner



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**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 6:00 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 6:32 p.m.**

HEARING EXAMINER MINUTES  
DECEMBER 3, 2015

**CASE NO. CUP15-0008**

**Type: Conditional Use Permit, a request by Sunny Ausink for Verizon Wireless** for a Conditional Use Permit to construct an unstaffed multi-carrier telecommunications facility with a 140' steel monopole within a 40' x 40' fenced utility compound leased area. The leased project area is located on an approximately 10 acre parcel in the Rural zone. The facility will accommodate a total of four (4) antenna arrays and ground equipment space for collocation opportunities. As part of the proposal, the Applicant is requesting a Variance to the minimum setback distance of 300' from any residential structures per Section 9-24-34 (C). Specifically, a 25' variance from the residence and 125' variance from outbuildings. The residence and outbuildings are all located on the subject parcel. The subject parcel is located at 10849 E. Victory Lane, Athol, ID. The parcel number is 53N03W-13-7800. The site is described as: NE-NW-SE in Section 13, Township 53 North, Range 03 West. B. M. Kootenai County, ID. (*Mel Palmer-Planner*)

**Staff Presentation:** Mel Palmer, Planner, introduced the application stating the 140' steel monopole is proposed to be a multi-carrier telecommunications facility on a 10 acre parcel in the Rural zone. The facility will accommodate a total of four antenna arrays and ground equipment space for co-location opportunities. Ms. Palmer added the tower is proposed to be painted green to blend in with the surrounding forest. The public agencies had no concerns and public comments submitted late were entered into the record. The site was posted and based on the signed affidavits in the file, the public notice requirements have been met.

**Applicant Presentation:** Sunny Ausink, Applicant Representative, submitted four items to the record for assistance in clarifying the application. The research for the site shows no existing towers to provide services and accommodate overload from neighboring towers. The site will only have monthly maintenance visits and be secured. This building site on this parcel was chosen to disturb the least amount of trees to be removed.

**Exhibits:** HE 1000 – Late public comments submitted by Mel Palmer.  
HE 1001 – Amended site plans for hammerhead turn around submitted by Sunny Auzink.  
HE 1002 – Kootenai County criteria addressed for approval submitted by Sunny Auzink.  
HE 1003 – Paint samples for the tower submitted by Sunny Auzink.  
HE 1004 – Current licensing reference submitted by Sunny Auzink.

**Public Testimony:** Comment Sheets submitted: 9, Applicant/Representatives - 1; In Favor - 2, Neutral - 3, Opposed – 3. 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:

- Bayview area needs a reliable service
- Tower will not blend since it is bigger than the trees and will be in view
- Wrong location for Bayview residents
- Rural feel seems to be violated by a metal tower above the trees
- Easy location may not be serving the most residents
- Private road will be impacted by any construction for the tower

**Applicant Rebuttal:** Sunny Ausink, Applicant Representative, clarified how the coverage maps were engineered to provide better services between Highway 95 and Bayview as well as off load existing Verizon sites. The tower design can be altered in color or stealth design. In conclusion, Ms. Ausink stated the variance and setback is far from the front street of Victory Lane which would make disturbance minimal. The application addresses the emergency and safety concerns for 911, schools and neighborhoods.

There being no further comments from the public, testimony was closed on this item at 6:23 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,

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Kathryn Ford, Recording Secretary