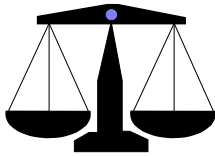


**MINUTES  
KOOTENAI COUNTY HEARING EXAMINER  
PUBLIC HEARING**

**OCTOBER 5, 2017  
KOOTENAI COUNTY ADMINISTRATION BLDG.  
ROOM 1**

**HEARING EXAMINER  
SHARON MOHR**

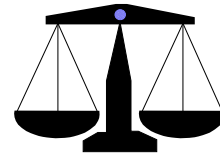
**STAFF PRESENT  
VLAD FINKEL  
KATHRYN FORD**



**MINUTES  
PREPARED BY:**

---

**KATHRYN FORD**  
Recording Secretary



**MINUTES  
REVIEWED BY:**

---

**VLAD FINKEL**  
Planner



---

**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 6:24 p.m.**

HEARING EXAMINER MINUTES  
OCTOBER 5, 2017

**CASE NO. ZON17-0007**

**Type: Zone Change, RBS Investments LP** request to complete Zone Change of three parcels of land totaling 6.49 acres in size from Agricultural Suburban/Commercial to Agricultural Suburban. The parcel numbers are 50N03W-18-2085, 50N03W-18-0500, and (50N03W-18-0580 / 50N03W-17-3850 are one parcel by deed located in different sections and taxing districts). The parcels are described as: Parcel #1: TAX #24869 [N2-NE] in Section 18, Township 50 North, Range 03 West, B.M., Kootenai County, Idaho. Parcel #2: TAX 24868 [NE-NE] in Section 18, Township 50 North, Range 03 West, B.M., Kootenai County, Idaho. Parcel #3: PTN TAX #24074 IN SEC 18 [NE-NE] in Section 18, Township 50 North, Range 03 West, B.M., Kootenai County, Idaho and PTN TAX #24074 IN SEC 17 [W2-NW] in Section 17, Township 50 North, Range 03 West, B.M., Kootenai County, Idaho. (*Vlad Finkel-Planner*)

**Staff Presentation:** Vlad Finkel, Planner, addressed Hearing Examiner Mohr referencing a presentation (HE 1000). He stated the zone change request is to re-zone three parcels that are currently split zoned to Agricultural Suburban for the purpose to be able to construct residential homes on each lot. The owner has no desire to use the parcel as commercial and the Agricultural-Suburban zoning would be compatible with the neighborhood. Mr. Finkel stated from the County's point of view this type of zoning is considered down zoning since it is less of an impact in the area. All sites have feasible access points and could obtain building permits. The site was posted and based on the signed affidavits in the file, the public notice requirements have been met.

**Applicant Presentation:** Gordon Dobler, Applicant Representative, stated the staff report has represented the application. The topography of the area would not make it feasible for commercial use. Any residential plans can work with the land with shared driveway access off Murphy Road. He added they have been in discussion with East Side Highway District on the shared access. The sites would have individual wells and drainfields for their septic.

**Exhibit:** HE 1000 – Presentation submitted by Vlad Finkel.

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

- Septic in the area may be restricted
- Neighborhood concerns regarding cutting down all the trees
- Keep a buffer of trees from the road to the sites
- It could become a mudslide disaster with no trees

**Applicant Rebuttal:** Gordon Dobler, Applicant Representative, added Panhandle Health District will do the review on the septic and drainfield for approvals. He is aware of a creek on the site and it does have a setback within the site disturbance guidelines. Mr. Dobler concluded there are no ordinances to prevent owners from removing trees on their property. They will meet all Kootenai County building requirements upon site disturbance and residential plan review.

There being no further comments from the public, testimony was closed on this item at 6:17 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

OCTOBER 5, 2017

**CASE NO. ZON17-0008**

**Type: Zone Change, The Estate of Milton L. and Marjorie J. Powers** request to complete a Zone Change of two parcels of land totaling approximately 6.00 acres in size from Agricultural Suburban/Rural to Agricultural Suburban. The parcel numbers are 50N03W-08-6475 and 50N03W-17-3125. The parcels are described as: Parcel #1: TAX #8088 EX RW in Section 8, Township 50 North, Range 03 West, B.M., Kootenai County, Idaho. Parcel #2: TAX # 8087 [IN NW-NW] in Section 17, Township 50 North, Range 03 West, B.M., Kootenai County, Idaho. (*Vlad Finkel-Planner*)

**Staff Presentation:** Vlad Finkel, Planner, addressed Hearing Examiner Mohr referencing a presentation (HE 1000). He provided a brief history on the property, which was inherited and is currently split zoned. An option for the family estates is to have the property re-zoned and then do a boundary line adjustment for the family members so each existing home is on its own lot. Mr. Finkel stated the zone change would be compliant with the Comprehensive Plan and the City of Coeur d'Alene had no issues. There would be no impact since there are existing homes on all three lots, and each lot has access off Harrison Road. The site was posted and based on the signed affidavits in the file, the public notice requirements have been met.

**Applicant Presentation:** Ernest Warner, Applicant Representative, stated this application is an attempt to bring the parcels into compliance with the county ordinances. Upon re-zoning the lot line adjustment would create three buildable parcels conforming to the neighborhood with individual septic and drainfields and water provided by the City of Coeur d'Alene.

**Exhibit:** HE 1000 – Presentation submitted by Vlad Finkel.

**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 Rebuttal:** None.

There being no further comments from the public, testimony was closed on this item at 6:24 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