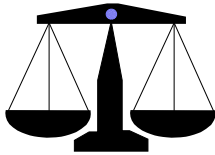


**MINUTES
KOOTENAI COUNTY HEARING EXAMINER
PUBLIC HEARING**

**JANUARY 18, 2018
KOOTENAI COUNTY ADMINISTRATION BLDG.
ROOM 1**

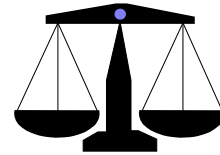
**HEARING EXAMINER
STEVEN FRAMPTON**

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



**MINUTES
PREPARED BY:**

KATHRYN FORD
Recording Secretary



**MINUTES
REVIEWED BY:**

MEL PALMER
Planner



STEVEN FRAMPTON
Hearing Examiner

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

Steven Frampton 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 6:48 p.m.

HEARING EXAMINER MINUTES
JANUARY 18, 2018

CASE NO. ZON17-0011

Type: Zone Change, BLR Materials, LLC, a request for a Zone Change from Mining to Light Industrial on approximately 60 acres of land. The purpose of this request is to utilize the site for light industrial activity including contractor storage facility. According to the Applicant, the site is no longer viable for mining activity. The subject parcel of land is bordered by properties zoned Mining, Mining w/Conditional Zoning Development Agreement and Agriculture. Access to the subject parcel is by W. Bedrock Road, a private road from Beck Road, public road maintained by the Post Falls Highway District. The property is located within the shared tier of City of Hayden, Rathdrum and Post Falls Area of City Impact. The parcel number is 51N06W-36-8600. The parcel is described as: SW-SE, S2-NW-SE in Section 36, Township 51N, Range 06W B.M. Kootenai County Idaho. (*Vlad Finkel-Planner*)

Staff Presentation: Vlad Finkel, Planner, introduced the application referencing a presentation (HE 1000) showing details of the property and the various neighboring zones. He added the request is a minor insignificant change for the area since has a variety of different uses. The agency and public comment responses had no concerns.

Applicant Presentation: Len Zickler, Applicant Representative, stated he had been working with staff which has been very beneficial. The staff report provides the details and any future use may be possible contractor or outdoor storage facilities.

Exhibit: HE 1000 – Presentation submitted by Vlad Finkel

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

- Fire suppression concerns

Applicant Rebuttal: Len Zickler, Applicant Representative, addressed the fire suppression concerns stating upon any building on the site they would be working with the local fire district and following their guidelines.

There being no further comments from the public, testimony was closed on this item at 6:10 p.m. The Hearing Examiner, Steven Frampton will review this case and submit his written report to the Board of County Commissioners within two weeks.

Submitted by,

Kathryn Ford, Recording Secretary

HEARING EXAMINER MINUTES
JANUARY 18, 2018

CASE NO. VAR17-0006

Type: Variance, a request by Patrick Wardian for two variances to setback requirements on a parcel approximately 0.396 acres in size, in the Agricultural Suburban zone. The first request is for a variance of 25' to the twenty-five (25') foot front yard setback requirements (zero setback). The second request is for a 5' variance to the 10' side yard setback requirements, on the north side of the property. Access is directly off S. Silver Beach Road. The requested variances are to allow a residential structure and attached garage, to be constructed across the front yard property line and 8' into the S. Silver Beach easement and to allow the residential structure to be set five (5') from the north property line. The residential structure is proposed to meet the west and south property line setback requirements without variances. The Applicant owns a personal storage building on the east side of S. Silver Beach Road, which he uses to store his boat and proposes to turn a portion of it into an office. Domestic water will be provided to the residence via a community water system which draws from Coeur d'Alene Lake and septic service will be provided via an Advantex Drainfield system. Access is directly off S. Silver Beach Road. The subject parcels were recently consolidated into one parcel. However, they are currently listed as: 0-7320-000-018-A and 0-7320-000-018-B and described as: SILVER BEACH PARK, LTS 18 & 19 W OF CO RD & EX HWY RW, in Section 29, Township 50 North, Range 03 West, B. M., Kootenai County, Idaho. (*Mel Palmer-Planner*)

Staff Presentation: Mel Palmer, Planner, introduced the application and referenced a presentation (HE 1000) showing details of the property. The site of the two requested variances is off Silver Beach Loop Road. In review of the application staff had concerns on backing out of the proposed garage. Ms. Palmer stated in agency review the East Side Highway District provided meeting minutes granting a highway variance of 8 feet into Silver Beach Loop Road. They stated homes currently encroach which is very common of the homes in the area. She added the parcel had been approved for two previous variances due to undue hardship but unfortunately those variances had expired with the previous owners.

Applicant Presentation: Ryan Neary, Applicant Representative, stated this variance is a challenge since the plan is for a minimal single level retirement home with no steep driveway. The site is very steep, bordered by neighbors and Silver Beach Loop Road cliffs out on unstable soil. He stated the septic system would be placed below the building site and the variances would result in less excavation, less fill and maintain stormwater control at a lesser risk. Mr. Neary added in backing out of the proposed garage there would be a 10 foot range of sight and glass side-panels in the garage. Also, the parcel continues across the road and would have a boulder retaining wall giving the road a larger width and benefit the uphill slope which is eroding into Silver Beach Loop Road.

Patrick Wardian, Applicant, stated he had begun meeting with neighbors and public agencies for months prior to submitting their application for the minimal variance necessary on this property. The site is very steep with unstable soil further down the hillside. He added the older neighborhood has some history and in working with them he was able to keep their views, save the older trees preventing hillside erosion, include a stairwell to assist the fire district and include a boulder retaining wall to support the uphill side allowing for off-street parking. Mr. Wardian concluded it has taken a considerable amount of time but all of the parties involved are in agreement with the plan to build closer to the road preventing less disruption to the hillside with their minimum variance request for use of the site.

Exhibit: HE 1000 – Presentation submitted by Mel Palmer.
HE 1001 – Photographs 1-A submitted by Patrick Wardian.
HE 1002 – Photographs 2-A submitted by Patrick Wardian.
HE 1003 – Map showing public comments and comments submitted by Patrick Wardian.

Public Testimony: Comment Sheets submitted: 3, Applicant/Representatives - 3; 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.

HEARING EXAMINER MINUTES
JANUARY 18, 2018

There being no further comments from the public, testimony was closed on this item at 6:48 p.m. The Hearing Examiner, Steven Frampton will review this case and submit his written report to the Board of County Commissioners within two weeks.

Submitted by,

Kathryn Ford, Recording Secretary