



## SECOND AMENDED AGENDA

### KOOTENAI COUNTY BOARD OF COMMISSIONERS

DECEMBER 2, 2021, THURSDAY, 9:00 A.M.  
KOOTENAI COUNTY ADMINISTRATION BUILDING, Room 1  
451 GOVERNMENT WAY, COEUR D'ALENE, IDAHO

#### WEBLINK:

<https://www.kcgov.us/927/Planning-Department-Virtual-Meetings>

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. CHANGES TO THE AGENDA (Action)
  - A. Executive Session §74-206 (1)(b) added to the BUSINESS Community Development Update Section
- IV. CHAIRMAN'S OPENING REMARKS
- V. POLL FOR CONFLICTS OF INTEREST
- VI. DELIBERATIONS – Action Item
  - A. **Case No. APP21-0003, a request by Emerald Properties, LLC to appeal an administrative decision of denial by the Kootenai County Community Development Director of a four (4) lot minor subdivision, MIN21-0046, Emerald Ranch.** The parcel number is 53N03W-18-3150, AIN is 193047, and is described as: W2-GOVT LT 1 in Section 18, Township 53 North, Range 3 West, Boise Meridian, Kootenai County, Idaho. The Hearing Examiner heard this case on November 4, 2021 and recommends to the Kootenai County Board of Commissioners that the appeal of Emerald Properties, LLC, in **Case No. APP21-0003** be **DENIED**, and that the decision of the Director to deny the application of Emerald Ranch for a minor subdivision be **AFFIRMED**. (*Amy Hilland*)
- VII. SIGNINGS (Action Items)
  - A. **Ord No. 572/Case No. ZON20-0004, a request by Dolan Land Management, LLC** for a Zone Change from Restricted Residential to Commercial of two lots measuring a total of 8.963 acres in size. The lots are undeveloped, having been created in May 2021 through the recordation of the Dolan's Deal 1<sup>st</sup> Addition plat. The minor subdivision creating the lots was approved through Case No. MIN20-0019. The purpose of the request is to enable the Applicant to develop the subject lots with Commercial uses, which are not permitted of right in the Restricted Residential zone. Access to the subject property will be gained directly from State Highway 41, a public highway maintained by the Idaho Transportation Department. The subject lots are adjacent to the City of Spirit Lake and across State Highway 41 from an area measuring approximately 1.3 acres in size zoned Commercial. The parcel numbers are 0-L590-002-001-0 and 0-L590-002-002-0, described as: DOLAN'S DEAL 1<sup>ST</sup> ADDITION LOTS 1 AND 2, BLOCK 2 in Section 8, Township 53 North, Range 04 West, Boise Meridian, Kootenai County, State of Idaho. The subject property is located immediately west of the intersection of State Highway 41 and State Highway 54. The Hearing Examiner held a public hearing on September 16, 2021 and recommended approval. The Board held a public hearing on November 18, 2021 and approved the request with a 2-1 vote. (*Vlad Finkel*)

- B. **Case No. APP21-0001, a request by Pierce Family Trust to appeal an administrative decision by the Kootenai County Community Development Director approving a four (4) lot minor subdivision, MIN20-0103, Axis Cove 1<sup>st</sup> Addition.** The parcel number is 49N04W-01-6775, AIN is 219597, and is described as: Tax #26272 [in GL 7] in Section 01, Township 49 North, Range 04 West, Boise Meridian, Kootenai County, Idaho. While this hearing was open to the public, only affected parties were allowed to testify. The Hearing Examiner heard this appeal on September 16, 2021 and recommends to the Kootenai County Board of Commissioners that the appeal be denied and that the decision in Case No. MIN20- 0103 be affirmed. On October 14, 2021, the Board denied the request for an appeal hearing as requested. The Board agreed with the Hearing Examiner’s analysis and upheld the Community Development Department’s decision to approve the MIN20-0103 Axis Cove, 1<sup>st</sup> Addition. *(Director David Callahan)*
- C. **Reconsideration of Case No. CUP20-0012, a request by Les Vawter** for a Conditional Use Permit to establish a Mini-Storage Facility on an approximately 6.45-acre parcel of land in the Agricultural zone. The subject parcel is undeveloped, and has historically been used for growing hay. The Applicant is proposing to develop an area consisting of approximately 1.03 acres with two storage unit buildings containing a maximum of 44 individual storage units. The proposed facility would be located in the area of the parcel surfaced with gravel immediately north of a Conoco fueling station in the Commercial zone. Access to the mini-storage facility would be gained via a new driveway extending east from State Highway 3, a public highway maintained by the Idaho Transportation Department. The Parcel Number is 49N01W-27-0525, described as: TAX #12502 [IN NE-NE] in Section 27, Township 49 North, Range 01 West, Boise Meridian, Kootenai County, Idaho. The Assessor’s Identification Number (AIN) is 128631. The subject parcel is located along the east side of State Highway 3, approximately ¼ mile south of Interstate 90. The Board signed an Order of Decision approving this request on August 19, 2021. A request for reconsideration of this decision was received on September 1, 2021. The reconsideration hearing was held on October 14, 2021. The Board affirmed the approval of the conditional use permit. *(Director David Callahan)*

## VIII. BUSINESS Community Development Update

- A. An executive session under Idaho Code Section 74-206 (1) (b) Action Item

## IX. ADJOURNMENT

To allow for proper social distancing and allowing public meetings to be conducted remotely, the meeting will be live streamed on the County website using YouTube.

- The live meeting can be viewed at <https://www.youtube.com/KootenaiCountyIdaho>
- To participate or listen via telephone dial (205) 825-9699
- Please be sure to keep your devices on mute to limit background noise.

Kootenai County does not discriminate against individuals or groups on the basis of disability in the admission or access to, or treatment in, its public meetings, programs, or activities. Requests for assistance or accommodations can be arranged by contacting Kootenai County Community Development at (208) 446-1070 with 48-hour notice. Further information can be obtained from the Kootenai County Community Development, 451 Government Way, P. O. Box 9000, Coeur d’Alene, Idaho 83816-9000 (208) 446-1070.