

DELIBERATIONS
MINUTES OF MEETING
January 9, 2020

Case Number: CUP19-0009

Case Name: St. Herman of Alaska Skete

Commissioners Present: Chair Chris Fillios, Commissioner Leslie Duncan and Commissioner Bill Brooks

Commissioners Absent: None

CONFLICT(S): None

CHANGES: David Callahan, Director stated Item V-B. on the agenda would not be heard by the Board as placed on this agenda. A motion by Commissioner Duncan to remove Item V-B. from the agenda was seconded by Commissioner Brooks and approved by the Board.

STAFF PRESENT: David Callahan, Pat Braden, Mary Shaw, Vlad Finkel, Kathryn Ford

Case No. CUP19-0009, Saint Herman of Alaska Skete, for a modification/expansion of a recently approved Conditional Use Permit for a Place of Worship in Case No. CUP18-0006. The original request was approved on a 22 acre parcel of land. At this time, the Applicant is requesting to add 64 acres of land across three (3) adjoining parcels of land to the east and northeast, bringing the total acreage of the site to approximately 86 acres. The uses at the site would remain the same as approved under the prior CUP with the exception of the proposed cemetery. The cemetery will be located on parcel 51N05W-02-0660 involving approximately 3 acres of the site. The cemetery was originally approved only for burial of the monks, however, the Applicant wishes to have the cemetery available for burials of church members in an open, low-density, park like setting. The proposed cemetery would not be commercial in nature, nor would it be available to the general public. It is expected that there will be 3 to 5 burials per year in this cemetery. The existing residence and outbuildings on parcel 51N05W-02-2900 would be used for residential purposes by the monks until their previously approved lodging house can be built. It may eventually become the guest house, or could continue to be used by the monks for residential purposes. Domestic water supply, wastewater disposal system for the originally approved compound will remain the same. Access to the site will remain the same from State Highway 53. The parcel numbers are: 51N05W-02-2900, 51N05W-02-1550, 51N05W-02-0660 and 52N05W-35-8930. The parcels are described as: Parcel 1: TAX # 19037 [IN GOVT LT 3] in Section 2, Township 51 North, Range 05 West B.M. Kootenai County, Idaho. Parcel 2: TAX # 11955 in Section 2, Township 51 North, Range 05 West B.M. Kootenai County, Idaho. Parcel 3: PTN TAX # 9517 & PTN TAX # 9515 EX TAX # [IN GL2] in Section 2, Township 51 North, Range 05 West B.M. Kootenai County, Idaho. Parcel 4: TAX # 9515 & TAX # 9517 Section 35, Township 52 North, Range 05 West B.M. Kootenai County, Idaho. The Hearing Examiner held a public hearing on December 19, 2019 and recommended approval.

(Vlad Finkel-Planner)

Vlad Finkel, Planner, referenced a presentation and introduced the case regarding the request to modify/expand a formerly approved Conditional Use Permit for a Place of Worship along with a Private Cemetery on 86 acres in the Agricultural Suburban and Rural zones.

The Board had no concerns with the modification/expansion of this request. The cemetery is a very small portion of the overall 86 acres and will not be “public” but only a burial option for the monks, nuns and members of the church. It will generate very little additional traffic or utilization of the property.

Motion by Commissioner Duncan, seconded by Commissioner Brooks, to approve and adopt the Hearing Examiner's recommendation, Comprehensive Plan Analysis, Conclusions of Law and Conditions of Approval for Case No. **CUP19-0009 St. Herman of Alaska Skete.**

Chair Fillios: Aye
Commissioner Duncan: Aye
Commissioner Brooks: Aye

Decision: Approved

Deputy Clerk's Signature: _____
January 9, 2020

**BOCC Minutes of Meeting
Community Development Update
January 9, 2020, 9:00 a.m.**

The Kootenai County Board of Commissioners met to discuss Community Development updates. Chair Fillios, Commissioner Duncan, and Commissioner Brooks were present. In attendance were Director David Callahan, Civil Deputy Prosecuting Attorney Pat Braden, Planner II Vlad Finkel, Planner II Ben Tarbutton, Planner II Amy Hilland, Planner II Zach Trevino, Chief Building Official John Mills, Planning Manager Mary Shaw, and Deputy Clerk Sandi Gilbertson.

A. Call to Order: Chair Fillios called the meeting to order at 9:12 a.m. (after deliberations).

B. Changes to the Agenda: None.

C. Business

1. Refund of application fees for Case No. ZON18-0016 for North Idaho Maritime (John and Gaila Condon) in the amount of \$1,590.00 and Rand Wichman in the amount of \$55.50. (Action Item)

Commissioner Duncan made a motion to return the fees of \$1590.00 to North Idaho Maritime and the fees of \$55.50 to Rand Wichman for Case No. ZON18-0006. The zone change was not needed when it was discovered the property was already zoned commercial.

Commissioner Brooks: Aye
Commissioner Duncan: Aye
Chairman Fillios: Aye

The motion carried.

2. Consideration of Injunctive Relief for Case Numbers SDP19-0238 and CV18-0053 to stop continued violations of the Building Code and the Land Use and Development Code. (Action Item)

Director Callahan asked that the Board to consider injunctive relief for the above cases. A stop work has been placed on the property and Community Development staff is working with the applicant to make corrections to the site. Legal Counsel Braden explained the injunction process through the courts allows for harsher penalties.

Commissioner Duncan made a motion that the Board would approve injunctive relief for Case Numbers SDP19-0238 and CV18-0053 if it proves necessary.

Commissioner Brooks: Aye
Commissioner Duncan: Aye
Chairman Fillios: Aye

The motion carried.

Chair Fillios left the update meeting at 9:23 a.m.

3. Community Development Fee Schedule Update. (Discussion)

Director Callahan said that two items were missed in the last fee adjustments. He said he would like a new fee in the amount of \$260 for the new subdivision exemption review and an increase in the current fee to make a determination of a cottage industry from \$105 to \$260. The Board was in agreement to the new fees. Legal Counsel Braden said this would come back before the Board at a public hearing for a fee schedule amendment.

4. Building permit activity comparison of 2018 to 2019. (Discussion)

Director Callahan showed the Board a comparison of permit activity year 2018 to year 2019. (Comparison document attached)

Public Comment (Discussion): This section is reserved for citizens wishing to address the Board regarding a County related issue. Idaho Law prohibits Board action on items brought under this section except in an emergency circumstance. Comments related to future public hearings should be held for that public hearing.

There being no further discussion, Chair pro tem Duncan adjourned the meeting at 9:28 a.m.

Respectfully submitted,

JIM BRANNON, CLERK

By: _____
Deputy Clerk

Chris Fillios, Chair

ITEM VIII-B.
1-9-20

PERMIT ACTIVITY COMPARISON
AS OF 12/31/2019

PERMIT TYPE	2018	2019	DIFFERENCE
LOC	751	623	- 128
RES	949	1,243	+ 294
MFD	44	56	+ 12
MEC	101	546	+ 445
COM	84	94	+ 10
SDP	317	343	+ 26
TOTALS	2,246	2,905	+ 659
TOTAL SFD	586	626	+ 40