

DELIBERATIONS
MINUTES OF MEETING
May 16, 2019

Case Number: CUP18-0006

Case Name: Elene Schumacher / Saint Herman of Alaska Skete

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

Commissioners Absent: None

CONFLICT(S): None

CHANGES: None

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

Case No. CUP18-0006, a request by Elene Schumacher / Saint Herman of Alaska Skete, for a Conditional Use Permit to “establish a place of worship” in the Agricultural Suburban zone. A Skete is defined as a monastic community in Eastern Christianity that allows relative isolation for monks. It is anticipated there would be 2 to 4 monks initially, and not more than 6. The monks will live in small cabins like structures or eventually a dormitory-style building, in addition to an established church. Access to the subject property will be a new common driveway within via a newly recorded access easement across Parcel # 51N05W-02-1550, directly from State Highway 53. The parcel number is 51N05W-02-2900. The parcel is described as TAX # 19037 [IN GOVT LT 3] in Section 2, Township 51 North, Range 05 West B.M. Kootenai County, Idaho. The Hearing Examiner held a public hearing on April 18, 2019 and recommended approval. (*Vlad Finkel-Planner*)

Vlad Finkel, Planner, provided details of the request referencing a presentation. The site is located west from the City of Rathdrum and is land locked being surrounded by parcels with the same ownership. It will be a community for monks on a small campus. He added the site will have access by a new common driveway which has a dedicated easement. There will be no landscaping requirements since they will maintain the same level of vegetation as is natural for the area. Mr. Finkel stated the public agencies had no concerns, however, they will need to work with Panhandle Health on the allowed EDU’s for specific structural uses since this site is over the aquifer. The public comments submitted into the file and presented at the Hearing Examiner public hearing have been in-favor of this request.

Commissioner Duncan stated the application was good with the conditions as recommended. There were no further questions from the Board.

Motion by Commissioner Duncan, seconded by Commissioner Brooks, to approve Conditional Use Permit based on the Findings of Fact, Applicable Legal Standards, Analysis and Conclusion of Law for **CUP18-0006 Elene Schumacher/Saint Herman of Alaska Skete**,

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

Decision: Approved

Deputy Clerk’s Signature: _____
May 16, 2019

DELIBERATIONS
MINUTES OF MEETING
May 16, 2019

Case Number: VAR19-0001

Case Name: Lloyd B. Craine Family LLC

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

Commissioners Absent: None

CONFLICT(S): None

CHANGES: None

STAFF PRESENT: David Callahan, Pat Braden, Ben Tarbutton, Kathryn Ford

Case No. VAR19-0001, a request by Lloyd B. Craine Family LLC for a 3.5' variance to the 10' north side yard setback and a 3.81' variance to the south side yard setback on a lot of 0.192 acres in the Restricted Residential zone. Specifically, the Applicant wishes to improve an existing residence by replacing the roof and increasing the height of the third story attic with intent of making it habitable. The existing residence was constructed prior to the County adopting setback regulations, and currently does not meet the required side yard setbacks. Access to the property is water-access only. The parcel number is 0-4480-009-002-A and described as: Lot 2 Block 9 of La Delcardo Bay in Section 23, Township 49 North, Range 04 West, B.M., Kootenai County, Idaho. The Hearing Examiner held a public hearing on April 18, 2019 and recommended approval. *(Ben Tarbutton-Planner)*

Ben Tarbutton, Planner, referenced a presentation providing a brief overview of the boat-in only access parcel and variance details. The existing structure was built prior to setback regulations which now makes it a non-conforming structure for any type of improvements. They built considering the slope on a steep and narrow parcel not going into the hillside and using the width of the parcel. He added the home is in need of a new roof which cannot be done without a variance since it would be expanding a non-conformity. This request is for the new roof and they want to include expanding the living space in the attic. The variance request is for allowing vertical expansion being done in the same footprint of the home and would not include any decks or walkways. Mr. Tarbutton stated the public agencies and public comments had no concerns.

David Callahan, Director, added the hardship for this site is due to the topographical constraints and it is not possible for the Applicant to make simple improvements to the structure without expanding the non-conformity.

After a brief discussion regarding variance findings, the Board agreed with the Hearing Examiner's analysis and recommendation, and expressed their support of the requested variance.

Motion by Commissioner Duncan, seconded by Commissioner Brooks, to approve the variance request based on the Findings of Fact, Applicable Legal Standards, Analysis and Conclusions of Law for **VAR19-0001 Lloyd B. Craine Family LLC**.

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

Decision: Approved

Deputy Clerk's Signature: _____
May 16, 2019

DELIBERATIONS
MINUTES OF MEETING
May 16, 2019

Case Number: MSF19-0003

Case Name: Lone Mountain Estates 3rd Addition (Phase II)

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

Commissioners Absent: None

CONFLICT(S): None

CHANGES: None

STAFF PRESENT: David Callahan, Pat Braden, Ben Tarbutton, Kathryn Ford

Case No. MSF19-0003, Lone Mountain Estates, 3rd Addition (Phase II), a request by JT Holdings, LLC, for final approval of the 2nd and Final Phase of a Major Subdivision consisting of 19 residential lots on approximately 97 acres in the Rural zone. The parcel number is: 0—L292-000-00B-0. The site is described as Lone Mountain Estates 2nd Addition, Tract B in Section 02, Township 52 North, Range 04 West, B.M., Kootenai County, Idaho. On March 1, 2017, the Board of County Commissioners granted preliminary approval of a 37 residential lot phased subdivision, known as Lone Mountain Estates 2nd Addition, MSP17-0005. On December 20, 2018, the Board signed an Order of Decision, granting final subdivision approval of Lone Mountain Estates 2nd Addition (Phase I) in Case No. MSF18-0007 consisting of 18 residential lots. (*Ben Tarbutton-Planner*)

Ben Tarbutton, Planner, referenced a brief presentation addressing the history of the subdivision phasing. Staff has reviewed the final application for Phase II and found they have met all of the required findings and conditions for a final approval.

Motion by Commissioner Duncan, seconded by Commissioner Brooks, to approve the final subdivision request based on the Findings of Fact, Staff Recommendation and Conclusions of Law for **MSF19-0003, Lone Mountain Estates, 3rd Addition (Phase II)**.

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

Decision: Approved

Deputy Clerk's Signature: _____
May 16, 2019

DELIBERATIONS
BOARD OF COUNTY COMMISSIONERS SIGNING

Minutes Date: May 16, 2019

Case Name: Patrick Magajna

Case Number: VAR18-0009

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

Commissioners Absent: None

CONFLICT(S): None

CHANGES: None

STAFF PRESENT: David Callahan, Pat Braden, Ben Tarbutton, Kathryn Ford

Case No. VAR18-0009, a request by Patrick Magajna for a variance of 13' - 3" to the structure, and 17' - 4 7/8" to the eave to the required 25' front yard setback on a parcel in the Restricted Residential zone. Due to common ownership assessment reasons, the Assessor has this Lot 4 Block 1 and Lot 3 Block 2 of Split Rock Subdivision depicted as one 0.96 acre parcel. However, according to the recorded plat, they are still two separate lots. Specifically, the Applicant wishes to construct a residence with an attached garage on the south side of N. Split Rock Road. Due to the steep topography of the site, the Applicant cannot maintain the front yard setback. As a result, the residence with attached garage would be located 7' from the property line. Access to the property is via N. Split Rock Road, a road dedicated to the public. The parcel number is 0-7480-001-004-A and described as: Lot 4 Block 1 of Split Rock Subdivision in Section 17, Township 51 North, Range 03 West, B.M., Kootenai County, Idaho. The Hearing Examiner held a public hearing on April 4, 2019 and recommended approval. The Board held deliberations on April 25, 2019 and unanimously approved the request. *(Ben Tarbutton-Planner)*

Motion by Commissioner Duncan, seconded by Commissioner Brooks, to execute signing the Order of Decision for **VAR18-0009 Patrick Magajna.**

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

Decision: Approved

Deputy Clerk's Signature: _____
May 16, 2019

**Minutes of Meeting
Community Development Update
May 16, 2019, 9:00 a.m.**

The Kootenai County Board of Commissioners met to discuss Community Development updates. Chairman Fillios, Commissioner Duncan, and Commissioner Brooks were present. In attendance were Director David Callahan, Civil Deputy Prosecuting Attorney Pat Braden, Planner II Ben Tarbutton, Planner II Vlad Finkel, Code Compliance Officer II Sandy Forstrom, Code Compliance Officer I Jennifer Strampher and Deputy Clerk Sandi Gilbertson.

A. Call to Order: Chairman Fillios called the meeting to order at 9:27 a.m. (Continuation of deliberations agenda).

B. Changes to the Agenda: None.

C. Business

A. Request by Chad Halverstadt to use a road naming standard different from what is allowed by 8.4.1004 of the Land Use and Development Code. (Action Item)

Director Callahan explained that Mr. Halverstadt does not want to have his road named per code. Article 4.10 Road Naming and Addressing 8.4.1004 Number 8 states that if a road accesses three or more properties, it shall be assigned a road name and the parcels shall be addressed in accordance with this article. The Commissioners were in agreement that Mr. Halverstadt's request to use a road naming standard different than what is allowed is denied and he will have to follow the address numbering procedures.

B. Discussion of staff initiated code enforcement. (Action Item)

Director Callahan said that Chairman Fillios has brought this item to the update meeting for discussion. The question is whether the Board wants staff to initiate code enforcement issues. This would include if a member of the public reported an issue anonymously and staff would respond to it by a site visit. The Board was in agreement that they wanted to keep the policy as is currently and not pursue this further at this time.

Public Comment: 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, Chairman Fillios adjourned the meeting at 9:56 a.m.

Respectfully submitted,

JIM BRANNON, CLERK

By: _____
Deputy Clerk

Chris Fillios, Chairman