

DELIBERATIONS  
MINUTES OF MEETING  
May 30, 2019

Case Number: APP19-0001

Case Name: Benjamin Johnson and the Ben Pointe Road Association

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. APP19-0001, a request by Benjamin Johnson and the Ben Pointe Road Association** to appeal an administrative decision by the Kootenai County Community Development Director approving a 3-Lot Subdivision in Case No. MIN18-0022, Lake Vista Estates. The parcel number is 48N04W-20-4700. The site is described as TAX # 25338 [IN GOVT LTS 2,3] in Section 20, Township 48 North, Range 04 West, B. M., Kootenai County, Idaho. While this hearing will be open to the public, only affected persons will be allowed to testify. The Hearing Examiner held a public hearing on May 2, 2019 and recommended the decision of the Director be affirmed.  
*(Vlad Finkel-Planner)*

David Callahan, Director, provided a brief introduction stating this appeal is regarding his decision as a Director on a minor subdivision. The Appellant had an Appeal Hearing before the Hearing Examiner and is asking under the Appeal format for an Appeal Hearing before the Board to provide testimony.

Pat Braden, Attorney, stated an appeal hearing format would be different than a typical public hearing. At this point it is under the Board's consideration to deliberate under the Appeal Hearing guidelines or grant the hearing for a later date.

Chair Fillios stated typically the Board grants all public and appeal hearing requests and he would agree to grant this request.

Motion by Commissioner Duncan, seconded by Commissioner Brooks, to approve the request to hold an Appeal Hearing for testimony regarding **APP19-0001, a request by Benjamin Johnson and the Ben Pointe Road Association.**

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

Decision: Approved

Deputy Clerk's Signature: \_\_\_\_\_  
May 30, 2019

DELIBERATIONS  
BOARD OF COUNTY COMMISSIONERS SIGNING

Minutes Date: May 30, 2019

Case Name: Lake Club Estates

Case Number: MSP18-0002

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, Mary Shaw, Kathryn Ford

**Case No. MSP18-0002, Lake Club Estates**, a request by Echo Bay Holdings, LLC, for preliminary approval of a Major Subdivision consisting of 25 residential lots, with 7 open space Tracts on approximately 17.889 acres in the Restricted Residential zone. The proposed site is currently undeveloped. The average lot size for the residential lots is 19,010 sq. ft. The lot sizes range from 10,570 square feet to 25,675. The minimum lot size for this Zone is 8,250 sq. ft. Access to the property is via a private road off State Highway 97, which is maintained by the Idaho Transportation Department. The private road accessing the subdivision will be constructed to meet the Associated Highway District Standards for the East Side Highway District. Water will be provided to the residential lots by a newly constructed public drinking water system on site, and effluent discharge will be provided by individual septic systems. The parcels numbers are: 49N03W-07-7400 and 49N03W-07-2200. The site is described as: parcel 49N03W-07-7400 as PTN TAX #25221 Inside Water District [GL4] AND Parcel 49N03W-07-2200 is described as PTN TAX #25221 Outside Water District [NE-SE], both parcels are in Section 07, Township 49 N, Range 03 West, B.M Kootenai County, Idaho. The Hearing Examiner held a public hearing on January 17, 2019 and recommended approval. The Board held deliberations on February 21, 2019 and approved a public hearing request. The Board held a public hearing on April 10, 2019 and voted 2 to 1 to deny the request. This item was continued from May 23, 2019 Agenda. *(Mary Shaw-Planner)*

Motion by Commissioner Duncan, seconded by Commissioner Brooks, to execute signing the Order of Decision for denial of **MSP18-0002 Lake Club Estates**.

Deputy Clerk's Signature: \_\_\_\_\_  
May 30, 2019

DELIBERATIONS  
BOARD OF COUNTY COMMISSIONERS SIGNING

Minutes Date: May 30, 2019

Case Number: MSF19-0003

Case Name: Lone Mountain Estates 3<sup>rd</sup> 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, 3<sup>rd</sup> 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. The Board held deliberations on May 16, 2019 and approved the request. This item was continued to May 30, 2019 Agenda due to an agenda noticing error.  
*(Ben Tarbutton-Planner)*

Motion by Commissioner Duncan, seconded by Commissioner Brooks, to execute signing the Order of Decision for **Lone Mountain Estates, 3<sup>rd</sup> Addition (Phase II)**.

Deputy Clerk's Signature: \_\_\_\_\_  
May 23, 2019

**MINUTES OF MEETING**  
**May 30, 2019**

The Kootenai County Board of Commissioners, Chairman Fillios, Commissioner Duncan and Commissioner Brooks met in a continuation of the regular meeting of the weekly Thursday of May, with Deputy Clerks Kathryn Ford and Sandi Gilbertson present. Also present were Kootenai County Civil Attorney Pat Braden and Community Development Director David Callahan.

**ENTER EXECUTIVE SESSION**

Commissioner Duncan moved that the Board enter executive session pursuant to *Idaho Code* § 74-206(1)(f). Commissioner Brooks seconded the motion.

There being no discussion, the Deputy Clerk called the roll:

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

The motion carried.

**EXIT EXECUTIVE SESSION**  
**9:27 a.m.**

Commissioner Duncan moved that the Board exit executive session and that staff proceed as discussed. Commissioner Brooks seconded the motion.

There being no discussion, the Deputy Clerk called the roll:

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

The motion carried.

Respectfully submitted,

JIM BRANNON, CLERK

BY: \_\_\_\_\_  
Deputy Clerk

**Minutes of Meeting  
Community Development Update  
May 30, 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 and Deputy Clerk Sandi Gilbertson.

**A. Call to Order:** Chairman Fillios called the meeting to order at 9:28 a.m. (Continuation of deliberations agenda).

**B. Changes to the Agenda:** None.

**C. Business**

A. Floodplain Regulations. (Information item)

Director Callahan explained that the Planning Commission will be reviewing the floodplain regulations at workshops and eventually have a public hearing to make recommendations to the Board. He said that the County has more adopted regulations than what the state and federal government require with the community rating system (CRS) being the reason for the higher threshold. The Board agreed that this important to the County and endorsed proceeding with the floodplain regulations review.

B. Consideration of Huetter Corridor setback overlay. (Action item)

Director Callahan gave this item background information on how he is the County's liaison to Kootenai Metropolitan Planning Organization (KMPO) and on the Kootenai County Area Transportation Team (KCATT). He explained how KMPO is in line for receiving federal monies for the Huetter Corridor bypass. Director Callahan asked the Board for their approval to add a setback overlay for this project now to help when this project does get funded. Mr. Braden suggested that the Planning Commission make a recommendation to the comp plan update regarding this setback overlay for the Huetter Corridor. The Board gave their approval to proceed in adding this Huetter Corridor setback overlay.

**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. No public comments.

There being no further discussion, Chairman Fillios adjourned the meeting at 9:46 a.m.

Respectfully submitted,

JIM BRANNON, CLERK

By: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_  
Chris Fillios, Chairman