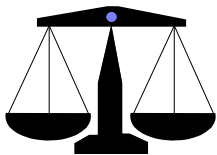


**MINUTES
KOOTENAI COUNTY HEARING EXAMINER
PUBLIC HEARING**

**MAY 16, 2019
KOOTENAI COUNTY ADMINISTRATION BLDG.
ROOM 1**

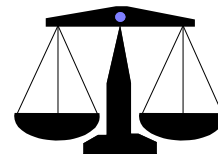
**HEARING EXAMINER
JOAN WOODARD**

**STAFF PRESENT
DAVID CALLAHAN
VLAD FINKEL
BEN TARBUTTON
AMY HILLAND
KATHRYN FORD**



**MINUTES
PREPARED BY:**

KATHRYN FORD
Recording Secretary



**MINUTES
REVIEWED BY:**

VLAD FINKEL
Planner



JOAN WOODARD
Hearing Examiner

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

Joan Woodard 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 6:18 p.m.

HEARING EXAMINER MINUTES

JUNE 6, 2019

CASE NO. ZON19-0002

Type: Zone Change, a request by Crystal Creek LLC to complete a Zone Change of a 45.67 acre split zoned parcel from Agricultural & Agricultural Suburban to Agricultural Suburban. The purpose of this request is to complete a Major Subdivision in conjunction with the two adjoining parcels to the north (51N05W-20-1570 and 51N05W-17-9750) in a concurrent application Case No. MSP19-0001 Garnet Ranch. Access to the subject parcel is via McGuire Road a public road maintained by the Post Falls Highway District. The property is located within the shared tier of the Coordinated Area of City Impact of Cities of Hayden, Rathdrum and Post Falls. The parcel number is 51N05W-20-2100. The parcel is described as: TAX # 25314 [IN E2] in Section 20, Township 51N, Range 05W, B.M. Kootenai County Idaho. The subject site is located west of the intersection of N. McGuire Road and W. Harmon Avenue north of Post Falls. (*Vlad Finkel-Planner*)

Staff Presentation: Vlad Finkel, Planner, introduced the application referencing a PowerPoint presentation. He stated historically the area was used for farming and is a Bonneville Power easement that the Applicant wants to utilize as additional acreage for a future subdivision to the north. The site is over the over the aquifer and cannot be subdivided less than 5 acres per lot which is compatible to the area. Mr. Finkel added a future subdivision is not part of the findings for this zone change request since a future development would have its specific findings. Public agencies had not concerns and public comment was received.

Applicant Presentation: Drew Dittman, Applicant Representative, stated the site is located west of McGuire Road between W. Hayden and Prairie Avenues and is split zoned. They are requesting a zone change to Agricultural Suburban. This parcel once re-zoned and combined with the parcel to the north is suitable for development of 5 acres home sites. Mr. Dittman added this Bonneville Power easement would be part of subdivision open space with no structures.

Exhibits: HE 1000 – Presentation submitted by Vlad Finkel.
HE 1001 – Presentation submitted by Drew Dittman.

Public Testimony: Comment Sheets submitted: 4, Applicant - 1; In Favor – 0, Neutral – 0, Opposed – 3. The names and address of the individuals speaking or submitting comments are part of the record.

- Past history of a developer subdividing did not go well
- A PUD changed plans and lot sizes multiple times and did not go forward due to the economy
- May be water issues
- Neighbors are not in favor of parcels less than 5 acres
- A plan for 5 acre subdivision would be compatible with the neighborhood

Applicant Rebuttal: Drew Dittman, Applicant Representative, stated if the zone change were approved the subdivision being planned would be 5 acres with public agencies responding and go through a public hearing process.

There being no further comments from the public, testimony was closed on this item at 6:14 p.m. The Hearing Examiner, Joan Woodard will review this case and submit her written report to the Board of County Commissioners within two weeks.

Submitted by,

Kathryn Ford, Recording Secretary

HEARING EXAMINER MINUTES

JUNE 6, 2019

CASE NO. ZON19-0004

Type: Zone Change, a request by Kootenai County on behalf of Mary Marie Branon to assign a new zoning classification to Parcel Number 53N04W-08-0450, which consists of 5.00 acres. The parcel is located at the west end of W. Fernan Drive. The subject parcel was recently de-annexed from the city limits of the City of Spirit Lake and is now within the County jurisdiction. As such, the County is required to assign a zoning classification to it. The County proposes the subject parcel be assigned a Rural zoning classification, consistent with the adjacent parcels and surrounding area. Access to the subject parcel is off of W. Fernan Drive. The property is described as: Tax # 16256 in the Northeast quarter of the Northeast quarter in Section 08, Township 53 North, Range 04 West, B.M., Kootenai County, Idaho. (*Ben Tarbutton-Planner*)

Staff Presentation: Ben Tarbutton, Planner, introduced the application referencing a PowerPoint presentation. He stated this 5 acre parcel has been de-annexed from the City of Spirit Lake and needs a County zoning classification assigned. A 10 acre parcel to the east of this site is under the same ownership of Mary Marie Branon, zoned rural which has access off of W. Fernan Drive. Mr. Tarbutton added that public agencies had no objections and there were no public comments received. This 5 acre parcel being zoned rural is compatible with the surrounding zoning.

Exhibits: HE 1000 – Presentation submitted by Ben Tarbutton.

Public Testimony: Comment Sheets submitted: None, Applicant – Kootenai County

Applicant Rebuttal: None.

There being no further comments from the public, testimony was closed on this item at 6:18 p.m. The Hearing Examiner, Joan Woodard will review this case and submit her written report to the Board of County Commissioners within two weeks.

Submitted by,

Kathryn Ford, Recording Secretary