

BOARD OF COUNTY COMMISSIONERS
MINUTES OF PUBLIC HEARING
June 13, 2019
Kootenai County-Nyrop Family Properties

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

Commissioner Absent: None

Staff Present: David Callahan, Pat Braden, Amy Hilland, Kathryn Ford



The purpose of the meeting was for the Board to conduct a public hearing as advertised in the *Coeur d'Alene Press*. Chairman Fillios called the hearing to order at 9:00 a.m. The members were polled for conflicts of interest. No conflicts were expressed.

CONFLICT(S): None

CHANGES: None

Case No. ZON19-0001, a request by Kootenai County on behalf of Nyrop Family Properties LLC to assign a new zoning classification to Parcel Number 47N04W-01-7275, which consists of 6.1811 acres. The subject parcel was recently de-annexed from the city limits of the City of Harrison 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 Restricted Residential zoning classification, consistent with the adjacent parcel and surrounding area. Access to the subject parcel is off of E. Skyline Drive. The property is described as: Tax # 25462 [IN GOVT LT 6] in Section 01, Township 47 North, Range 04 West, B.M., Kootenai County, Idaho. The Hearing Examiner held a public hearing on April 18, 2019 and recommended approval. (*Amy Hilland-Planner*)

Staff Presentation: Amy Hilland, Planner, referenced a presentation providing the details for a portion of a parcel that was recently de-annexed from the City Limits of the City of Harrison. The County proposes the subject site be assigned a Restricted Residential zoning classification, consistent with the zoning in the surrounding area. She stated the owners may be doing a boundary line adjustment since the land is suitable for residential use and does have a structure nearby on the east adjoining parcel.

David Callahan, added, from time to time the cities de-annex property from their jurisdiction and once the county receives notice the county needs to review and assign county zoning suitable.

Pat Braden, Attorney, stated the parcel in review and the neighboring parcel is all under a common ownership within the county. Also, for consideration this zoning recommendation will provide less dense development than within city limits.

Exhibits: None.

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

Rebuttal: None.

Motion by Commissioner Duncan seconded by Commissioner Brooks, to close the public hearing and enter into deliberations at 9:07 a.m.

Deliberations: The Board had no concerns regarding the zoning assignment.

Motion by Commissioner Duncan, seconded by Commissioner Brooks, to approve the zoning classification to Restricted Residential and include the Hearing Examiner's Recommendation with the Findings of Fact and Conclusions of Law for **ZON19-0001, a request by Kootenai County on behalf of Nyrop Family Properties LLC.**

Commissioner Brooks Aye
Commissioner Duncan: Aye
Chair Fillios: Aye

Decision: Approved

Deputy Clerk's Signature: _____
June 13, 2019

DELIBERATIONS
BOARD OF COUNTY COMMISSIONERS SIGNING

Minutes Date: June 13, 2019

Case Name: McCarthy Estates

Case Number: MSP13-0003

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

MSP18-0003, McCarthy Estates, a request by McCarthy Capital Inc, for preliminary approval of a Gated Community Major Subdivision consisting of 26 residential lots on approximately 136.7 acres in the Rural zone. The project will be completed in two phases with 13 lots in each phase. The proposed lots will range from 5.000 to 6.697 acres in size. The subject property is currently undeveloped. Domestic water will be provided by Bar Circle S Water Company. Effluent discharge will be treated by an individual septic and drainfield systems on-site. Access to the subdivision will be provided from Garwood Road and from the extension of Dolan Road, both roads are public and maintained by the Lakes Highway District. The new interior road will serve as a loop and will be gated at both entrances to the subdivision. Furthermore, the internal road will be constructed to the Associated Highway District Standards and dedicated to the Homeowner's Association for maintenance purposes. The parcel number is: 0L072001001A. The site is described as: Garwood Corner, Lot 1, Block 1, Tax # 25311 in Section 24, Township 52 North, Range 04 West. B. M. Kootenai County, Idaho. The Hearing Examiner held a public hearing on May 16, 2019 and recommended approval. The Board held deliberations on June 6, 2019 and unanimously approved the request. *(Vlad Finkel-Planner)*

Motion by Commissioner Duncan, seconded by Commissioner Brooks, to execute the signing of **MSP18-0003 McCarthy Estates**.

Commissioner Brooks: Aye

Commissioner Duncan: Aye

Chair Fillios: Aye

Decision: Approved

Deputy Clerk's Signature: _____
June 13, 2019

**Minutes of Meeting
Community Development Update
June 13, 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 Vlad Finkel, Planner II Ben Tarbutton, Planner II Amy Hilland, Planner III Mary Shaw and Deputy Clerk Sandi Gilbertson.

- A. Call to Order:** Chairman Fillios called the meeting to order at 9:10 a.m. (Continuation of deliberations agenda).
- B. Changes to the Agenda:** None.
- C. Business**

- A.** Consideration of whether to allow Case No. MIN19-0011 (a minor subdivision to create two lots) to proceed. (Action item)

Director Callahan presented this minor subdivision that is in the Exclusive Tier of Hayden's Area of City Impact. In that ACI, the County agrees that no new subdivisions or resubdivision of existing large lot developments will be allowed unless the development will be served by municipal sewer and the sewer system installed is continued to the exterior property boundaries of the subdivision in the direction where subsequent development is likely to occur. Director Callahan explained that city service is not practical at this time. The City of Hayden responded with a Declaration of Restrictive Covenants which would allow this minor subdivision to proceed with the provision of municipal services and roads if and when the property is annexed into the City. The owner of the property has agreed to annex into the City at the City's request when the property adjacent to the owner's property annexes into the City.

Motion by Commission Duncan to allow Case No. MIN19-0011 to proceed; seconded by Commissioner Brooks.

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

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 9:15 a.m.

Respectfully submitted,

JIM BRANNON, CLERK

By: _____
Deputy Clerk

Chris Fillios, Chairman