

**Minutes of Meeting
Community Development Update
October 1, 2018, 1:30 p.m.**

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

A. Call to Order: Chairman Eberlein called the meeting to order at 1:33 p.m.

B. Changes to the Agenda: No changes.

C. Business

1. Howard Rude Conditional Zoning Development Agreement approved in 2014 and its effects on a pending building permit. (Discussion)

Director Callahan explained that Mr. Rude had an approved conditional zoning development agreement in 2014 and has recently applied for building permits that exceed what was approved. Mr. Rude is planning to put in boat and RV storage and the original agreement was for a plumbing business with no retail. Director Callahan said he would like to ask Mr. Rude if he would be willing to go through the process of applying to amend his conditional zoning development agreement. The Board was in agreement with that approach.

2. Possible Estoppel Issue with Mosher Building Permit (Action)

Director Callahan described issues with this permit. He showed an easement that was recorded in 2007. At some point, someone misinterpreted the easement and subsequently the contractor relied on it and excavated for access in an area owned by the homeowners association. Mr. Braden said that it is acceptable if excavation occurs in the easement but if there is excavation development outside the easement it is trespassing and a stop work can be placed. Also, Director Callahan said the surveyor went out today and re-marked the property line and the Department's inspector said the footing is within the property line. Another issue is that the deck was built in the setback but because the department erred when revised building plans were approved, the deck should be allowed. Revised site plans were received after the inspector reported the site plan did not match the approved building footprint. Director Callahan said he believed this has to be approved and the Board agreed.

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 of the agenda items or public comment, Chairman Eberlein adjourned the meeting at 1:58 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

By: _____
Deputy Clerk

Mark Eberlein, Chairman