

**MINUTES  
KOOTENAI COUNTY HEARING EXAMINER  
ROOM 1 and VIRTUAL PUBLIC HEARING**

**MAY 20, 2021  
KOOTENAI COUNTY ADMINISTRATION BLDG.  
ROOM 1**

**HEARING EXAMINER  
JOAN WOODARD**

**STAFF PRESENT  
ZACH TREVINO  
DAVID CALLAHAN  
MARY SHAW  
BETSY ANDERSON  
KATHRYN FORD**



**MINUTES  
PREPARED BY:**

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**BETSY ANDERSON**  
Recording Secretary



**MINUTES  
REVIEWED BY:**

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**ZACH TREVINO**  
Planner



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**JOAN WOODARD**  
Hearing Examiner

The Official Record of Public Hearing is available on-line at  
[www.kcgov.us](http://www.kcgov.us)

**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 a written recommendation to the Board of County Commissioners, who will make the final decision.

**The hearing was adjourned at 7:09 p.m.**

HEARING EXAMINER MINUTES

MAY 20, 2021

**CASE NO. CUP20-0016**

**Type: Conditional Use Permit, a request by Michael Beiter** for a Conditional Use Permit to construct a Wireless Communication Facility (WCF) tower on an approximately 20-acre parcel of land in the Rural zone. The subject parcel is developed with a single-family residence and accessory structure. The proposed WCF will consist of a 100-foot tall self-supporting tower and related ground equipment, for the purpose of receiving internet signals from local wireless internet service providers. The tower would primarily be for residential use, but is designed to allow for collocation of up to three additional providers. A secondary purpose of the tower would be to serve as a repeater tower to enhance internet service for neighboring residences, although the tower will only serve the Applicant's residence initially. The tower will be located over 150 feet from the boundary of any adjacent parcel. Access to the subject parcel is gained directly from Walking Horse Lane, a public road maintained by Lakes Highway District. The parcel number is 53N03W-01-8000, described as: W2-NW-SE in Section 01, Township 53 North, Range 03 West, Boise Meridian, Kootenai County, State of Idaho. The Assessor's Identification Number (AIN) is 112144. The existing residence is located at address 32535 N. Walking Horse Lane. (*Zach Trevino-Planner*)

**Staff Presentation:** Zach Trevino, Planner, introduced the application providing a brief overview referencing a presentation stating the request is a conditional use permit to construct a wireless communication facility on a 20 acre parcel in the Rural zone. He added some trees have been cleared from the site while others will remain for site screening purposes. The tower is meant to fill a coverage gap in residential internet service in the area. The proposed tower site will be more than 300 feet from any residential structures other than the Applicant's on-site residence. The Suburban designation under the Comprehensive Plan promotes economic development opportunities to serve the surrounding community and allows non-residential uses that support the rural transitional area. Public agencies with jurisdiction were contacted and had no objections.

**Applicant Presentation:** Michael Beiter, Applicant, introduced his proposal with a detailed technical overview of wireless communications facilities. He stated the area north-east of Athol has coverage gap for high speed internet due to topography as well as a lack of broadband internet providers. The technology he is proposing is already in use elsewhere in Kootenai County. The tower would be engineered to accommodate three additional carriers, reducing the potential for more towers in the immediate vicinity.

**Exhibits:** HE 1000 – Staff Presentation submitted by Zach Trevino.  
HE 1001 – Applicant Presentation submitted by Michael Beiter.

**Public Testimony:** Comment Sheets submitted: 3, Applicant – 1; In Favor – 0, Neutral – 0, Opposed – 2. The names and address of the individuals speaking or submitting comments are part of the record.

One person spoke in opposition to the proposal. Concerns included:

- Bringing the conveniences of city life to the country
- Removal of additional trees

**Applicant Rebuttal:** The Applicant stated he has a moral obligation to protect his property and to leave as many trees as possible. He also stated this tower will not be a money maker for him but as a community service to improve high-speed internet for residents in the area.

There being no further comments from the public, testimony was closed on this item at 7:09pm. The Hearing Examiner, Joan Woodard will review this case and submit her written report addressing the remand to the Board of County Commissioners within two weeks.

Submitted by,

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Betsy Anderson, Recording Secretary