

DELIBERATIONS
MINUTES OF MEETING
May 27, 2021

Case Number: VAR20-0012

Case Name: Benjamin Miller

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

Commissioners Excused: None

CONFLICT(S): None

CHANGES: None

STAFF PRESENT: David Callahan, Pat Braden, Mary Shaw, Zach Trevino, Kathryn Ford

Case No. VAR20-0012, a request by Benjamin Miller for a 10 foot variance to the 25 foot front yard setback requirement from a public road on an approximately 0.34-acre parcel of land in the Agricultural Suburban zone. The parcel is currently developed with a residence, which the applicant desires to expand by constructing an addition to the front of the existing structure. The proposed addition would include garage and office space, and the driveway extending from Harrison Avenue would be reconfigured to accommodate this addition. The purpose of the request is to enable the proposed addition to be located 15 feet from a line 25 feet from, and parallel to, the centerline of Harrison Avenue, a public road under the jurisdiction of East Side Highway District. The Applicant cites lack of sufficient area to locate the addition elsewhere, lack of vehicular access to the rear of the residence, and steep slope as contributing to undue hardship justifying the variance. The parcel number is 50N03W-18-0800, described as: W2-TAX #3410 (IN NE) in Section 18, Township 50 North, Range 03 West, Boise Meridian, Kootenai County, State of Idaho. The subject parcel is located at address 2480 E. Harrison Avenue, approximately 300 feet east of the intersection of Harrison Avenue and Stanley Hill Road. The Hearing Examiner held a public hearing on May 6, 2021 and recommended approval.

Zach Trevino, Planner, addressed the Board stating the request is for a 10 foot variance to the 25 foot front yard setback requirement on a lot east of the City of Coeur d'Alene in the Coeur d'Alene Area of City Impact (ACI). The addition is for the front of the home with limited space due to the Harrison Avenue Right-Of-Way. He added the hardship is created from the limited front area and the inability to get rear access for their vehicles from the sideyard. The agencies with jurisdiction had no concern and approval of this request would not affect Harrison Avenue or negatively impact the neighborhood.

Chair Fillios questioned their length of homeownership prior to planning this renovation. Commissioner Duncan stated there are neighboring homes in the area with similar construction and she would agree with this variance. Commissioner Brooks agreed with the request since it would not impact the neighborhood.

Motion by Commissioner Duncan, seconded by Commissioner Brooks, to approve the variance request for Case No. VAR20-0012 Benjamin Miller.

Chair Fillios:	Aye
Chair Pro Tem Duncan:	Aye
Commissioner Brooks:	Aye

Decision: Approved

Deputy Clerk's Signature: _____
May 27, 2021

DELIBERATIONS
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Case Number: CUP21-0001

Case Name: Stanley Pope

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

Commissioners Excused: None

CONFLICT(S): Commissioner Duncan stated for the record she was contacted by the public regarding this case. She did not meet with them and their contact will not affect her decision.

CHANGES: None

STAFF PRESENT: David Callahan, Pat Braden, Mary Shaw, Vlad Finkel, Kathryn Ford

Case No. CUP21-0001, Stanley Pope to remedy an active Code Violation and to establish an Automobile Wrecking Yard and Junk Yard on a 7-acre portion of a 20.86-acre parcel of land in the Rural zone. Specifically, the Applicant proposes to utilize the southwest portion of the property for purposes of storing, dismantling and recycling of old vehicles. The Applicant will transport all of the unwanted vehicles to the property, as there will be no public access to the site. The recycling and removal of metal material and hazardous fluids will be done on as needed basis in compliance with the regulations of all local and state agencies. The existing residence and outbuildings will not be utilized as part of the request. The Applicant intends to place a small storage building within the requested CUP area. There are currently two access approaches to the subject site from Pope Road, a public road maintained by the Lakes Highway District. One approach is located in the southwest corner of the parcel and a second approach approximately 800 feet to the north. The Applicant proposes to utilize the existing approach in the southwest corner of the property for the proposed use, while the other approach will be used for the primary residence on-site. No additional wastewater will be generated by the proposed use. The parcel number 52N04W-24-2020 and described as: TAX # 8620 EX TAX # & EX RW in Section 24, Township 52 North, Range 04 West. B. M. Kootenai County, ID. The subject property is located at 19028 N. Pope Road, Hayden, ID 83835. The Hearing Examiner held a public hearing on May 6, 2021 and recommended approval.

Vlad Finkel, Planner, addressed the Board stating the request is to remedy an active Code Violation and to establish an Automobile Wrecking Yard and Junk Yard on a 7-acre portion of a 20.86-acre parcel of land in the Rural zone. He added this area along Highway 95 is rapidly changing with more intense uses and various zoning designations in the area surrounding this site. This use is allowed in the Rural zone through the CUP process. The proposal is commercial in nature and consistent with the existing Automobile Wrecking Yard operations directly to the south. Through the application process, agencies with jurisdiction and the public have had an opportunity to review the request and provide comments. During the public comment period, Community Development received an overwhelming support of the request. However, there were a number of comments in opposition of the request with concerns over the potential groundwater contamination. Mr. Finkel stated a potential future impact is difficult to project with no past contamination being done by the neighboring wrecking yard. Staff believes this proposal has no more of an impact than the neighboring uses and no factual basis for the flow of aquifer or well contamination.

Chair Fillios confirmed DEQ and PHD were the environmental agencies with jurisdiction that would do assessments. Commissioner Duncan stated a lot of vehicles arrive to wrecking yards without fluids in them and the conditions are appropriate with the conditions listed. She agreed that PHD does a very thorough job for compliance review. Commissioner Brooks agreed he would approve this request.

Motion by Commissioner Duncan, seconded by Commissioner Brooks, to approve the request for Case No. CUP21-0001 Stanley Pope.

Chair Fillios: Aye
Chair Pro Tem Duncan: Aye
Commissioner Brooks: Aye

Decision: Approved Deputy Clerk's Signature: _____
May 27, 2021

Community Development Update
Minutes of Meeting
May 27, 2021, 9:00 a.m.

The Kootenai County Board of Commissioners met to discuss Community Development updates. Chair Fillios, Commissioner Duncan and Commissioner Brooks were present. In attendance were Civil Deputy Prosecuting Attorney Pat Braden, Director David Callahan, Planning Manager Mary Shaw and Deputy Clerk Kathryn Ford.

- I. Call to Order: Chair Fillios called the meeting to order at 9:25 a.m. after deliberations.
- II. Changes to the Agenda: None
- III. Business
 - A. Comprehensive Plan policies that require the involvement of departments other than Community Development. (Discussion Item)

Director Callahan addressed the Board stating the Planning Commission requested he have a discussion with the Board regarding Comprehensive Plan policy that involves other departments. He added there are cases within the Comprehensive Plan that addresses working with other departments. Commissioner Duncan questioned the Commission providing options while the Board may have considered other alternatives. Mr. Callahan added the Planning Commission has the authority to recommend and the Board can move on with or without the Commission input. The Planning Commission and the Board may considered including other departments if there is the budget and the department has the time.

IV. ADJOURNMENT

There being no further discussion, Chair Fillios adjourned the meeting at 9:31 a.m.

Respectfully submitted,

JIM BRANNON, CLERK

By: _____
Deputy Clerk

Chris Fillios, Chair