

DELIBERATIONS
MINUTES OF MEETING
BOARD OF COUNTY COMMISSIONERS
July 8, 2021

Case Number: CUP20-0015

Case Name: Wesley and Laura Johnson Living Trust (Forest Friends Preschool)

Commissioners Present: Chair Fillios, Commissioner Duncan, Commissioner Brooks

CONFLICT(S): Chair Fillios recused himself from this request stating he lived in Cougar Meadows and had concerns regarding the water availability from the Cougar Estates Water Association well.

CHANGES: Item VIII-D was removed from the agenda and will be rescheduled when Civil Deputy Prosecuting Attorney Pat Braden can attend.

STAFF PRESENT: David Callahan, Jamila Holmes, Levi Basinger, Vlad Finkel, Zach Trevino, Mary Shaw, Sandi Gilbertson

Case No. CUP20-0015, a request by Wesley and Laura Johnson Living Trust for a Conditional Use Permit to establish and operate a Preschool on an approximately 5-acre lot in the Agricultural Suburban zone. The subject parcel is developed with a single-family residence and accessory shop building. The proposed private school will provide pre-kindergarten and kindergarten instruction to children ages four through six, utilizing the garage of the existing residence and outdoor areas. School year operations will take place Monday through Friday from the first Monday after Labor Day until the Friday before Memorial Day, with classes split into morning and afternoon classes. Additionally, a morning-only class will be offered for up to four weeks during the summer. A maximum of six students would be present at the school at any one time. An existing parking area in front of the residence will provide space for pickup and drop-off of students, as well as emergency vehicle turnaround. Access to the subject parcel is gained directly from Cougar Estates Road, a public road maintained by Worley Highway District. The parcel number is 0-1530-001-001-0, described as: COUGAR MEADOWS, LT 1 BLK 1 in Section 29, Township 50 North, Range 04 West, Boise Meridian, Kootenai County, State of Idaho. The Assessor's Identification Number (AIN) is 153542. The existing residence is located at address 5253 W. Cougar Estates Road. The Hearing Examiner heard this case at a public hearing on June 17, 2021 and recommended approval. (Levi Basinger-Zach Trevino-Planners)

Planner II Basinger gave a PowerPoint presentation explaining this conditional use permit. Mr. Basinger addressed Chair Fillios' concern regarding water service. He said the proposed preschool would utilize the two private wells located on the subject parcel. The plat of Cougar Meadows indicates that the Cougar Estates Water Association will provide water service to the lot, but the Applicant clarified in the narrative that the wells to be utilized by the preschool are separate from the community water system well. To address fire safety concerns, the Board asked for another condition be added in that the existing overhead garage doors remain operational, and free of obstruction, to enable the overhead garage doors to be used as an emergency exit, if needed.

Motion by Commissioner Brooks, seconded by Commissioner Duncan, to approve Case No. CUP20-0015, a request by Wesley and Laura Johnson Living Trust for a Conditional Use Permit to establish and operate a preschool on an approximately 5-acre lot in the Agricultural Suburban zone with the added condition.

Chair Fillios:	Recused
Commissioner Duncan	Aye
Commissioner Brooks:	Aye

Decision: Approved

Deputy Clerk's Signature: _____
July 8, 2021

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Case Number: MSF21-0004

Case Name: Lone Mountain Estates 6th Addition

Commissioners Present: Chair Fillios, Commissioner Duncan, Commissioner Brooks

CONFLICT(S): None

CHANGES: Item D was removed from the agenda and will be rescheduled when Civil Deputy Prosecuting Attorney Pat Braden can attend.

STAFF PRESENT: David Callahan, Jamila Holmes, Levi Basinger, Vlad Finkel, Zach Trevino, Mary Shaw, Sandi Gilbertson

Case No. MSF21-0004, Lone Mountain Estates 6th Addition (Phase I), a request by JT Holdings, LLC, for final approval of a 25 lot residential subdivision on 153.63 acres, of a preliminarily approved 41 lot residential subdivision in Case No. MSP19-0008 on approximately 247 acres in the Rural zone. The subject property Parcel Number is 2N04W-11-2100 and AIN Number is 133641. The legal description of the subject parcel is TAX # 25835[NE, NW, SW, SE] in Section 11, Township 52N, Range 04W, B.M. Kootenai County Idaho. The subject site is located on the north side of E. Chilco Road, approximately 2,200 feet east of the intersection of N. Ramsey Road and E. Chilco Road. (Vlad Finkel-Planner)

Planner III Finkel gave a PowerPoint presentation on this final subdivision request. The Board was in agreement that the Applicant has demonstrated they currently are, or will be in compliance with all of the Conditions of Approvals.

Motion by Commissioner Duncan, second by Commissioner Brooks, to approve Case No. MSF21-0004, Lone Mountain Estates 6th Addition (Phase I), a request by JT Holdings, LLC, for final approval of a 25 lot residential subdivision on 153.63 acres, of a preliminarily approved 41 lot residential subdivision in Case No. MSP19-0008 on approximately 247 acres in the Rural zone.

Chair Fillios:	Aye
Commissioner Duncan	Aye
Commissioner Brooks:	Aye

Decision: Approved

Deputy Clerk's Signature: _____
July 8, 2021

DELIBERATIONS-SIGNING
MINUTES OF MEETING
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July 8, 2021

Case Number: VAR21-0002

Case Name: Travis and Kimberli Roth

Commissioners Present: Chair Fillios, Commissioner Duncan, Commissioner Brooks

CONFLICT(S): None

CHANGES: Item VIII-D was removed from the update agenda and will be rescheduled when Civil Deputy Prosecuting Attorney Pat Braden can attend.

STAFF PRESENT: David Callahan, Jamila Holmes, Levi Basinger, Vlad Finkel, Zach Trevino, Mary Shaw, Sandi Gilbertson

Case No. VAR21-0002, a request by Travis and Kimberli Roth for a 10 foot variance to the 25 foot front yard setback requirement from a public right-of-way on an approximately 0.19-acre parcel of land in the Restricted Residential zone. The subject lot is currently undeveloped. The Applicant desires to construct a 38' x 26' garage located 15 feet from the edge of the Cochran Lane right-of-way. The garage would not require connection to water or sewer systems, as it would only be used for storage and would contain no habitable space. The garage would gain access directly from Cochran Lane, a privately maintained road within a public right-of-way under the jurisdiction of Lakes Highway District. The Applicant cites small lot size and irregular lot configuration resulting in limited buildable area as contributing to undue hardship justifying the variance. The parcel number is 0-5920-000-075-0, described as: PERCY COCHRAN BEACH, LT 75 in Section 08, Township 52 North, Range 04 West, Boise Meridian, Kootenai County, State of Idaho. The subject parcel is located approximately 300 feet north of the intersection of Cochran Lane and Rice Road. The Hearing Examiner heard this case at a public hearing on June 3, 2021 and recommended approval. The Board heard this case at deliberations on July 1, 2021, and approved the variance request.

Motion by Commissioner Duncan, second by Commissioner Brooks, to approve the signing of **Case No. VAR21-0002, a request by Travis and Kimberli Roth** for a 10 foot variance to the 25 foot front yard setback requirement from a public right-of-way on an approximately 0.19-acre parcel of land in the Restricted Residential zone.

Chair Fillios:	Aye
Commissioner Duncan	Aye
Commissioner Brooks:	Aye

Decision: Approved

Deputy Clerk's Signature: _____
July 8, 2021

DELIBERATIONS/SIGNING
MINUTES OF MEETING
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Case Number: MSP20-0002

Case Name: Hoodoo Valley North

Commissioners Present: Chair Fillios, Commissioner Duncan, Commissioner Brooks.

CONFLICT(S): None

CHANGES: Item VIII-D was removed from the agenda and will be rescheduled when Civil Deputy Prosecuting Attorney Pat Braden can attend.

STAFF PRESENT: David Callahan, Jamila Holmes, Levi Basinger, Vlad Finkel, Zach Trevino, Mary Shaw, Sandi Gilbertson

Case No. MSP20-0002, Hoodoo Valley North, a request by JB Dodge Company LLC, for preliminary approval of a Major Subdivision consisting of 66 residential lots and 1 utility tract on 335.89 acres in the Rural zone. The subject parcel of land is currently undeveloped and will be completed in six phases. The proposed lots will be a minimum of 5.000 acres gross (4.500 net) in size meeting the lot size and density requirements in the Rural zone. Domestic water supply to each lot will be provided via individual wells. Effluent discharge on each lot will be treated by individual septic and drainfield. One access point will be from Pulaski Road, a newly dedicated public road located within Hoodoo Valley 5th Addition plat, connecting to Ramsey Road to the west. The other access point will be from Archer Road, a newly dedicated public road located within Hoodoo Valley 6th Addition plat, connecting to Remington Road to the south. The interior road system will be constructed to the Associated Highway District Standards and dedicated to the public in the name of Lakes Highway District. The subject parcel number is: 53N04W-14-5000 and is described as: TAX # 25710 [IN NE, NW, SW, SE] in Section 14, Township 53 North, Range 04 West, B. M., Kootenai County, ID. The subject parcel is located east of Ramsey Road, between State Highway 54 and Remington Road. The Hearing Examiner held a public hearing on June 3, 2021 and recommended approval. (Vlad Finkel-Planner)

Motion by Commissioner Duncan, second by Commissioner Brooks, to approve the signing of Case No. MSP20-0002, Hoodoo Valley North, a request by JB Dodge Company LLC, for preliminary approval of a Major Subdivision consisting of 66 residential lots and 1 utility tract on 335.89 acres in the Rural zone.

Chair Fillios:	Aye
Commissioner Duncan	Aye
Commissioner Brooks:	Aye

Decision: Approved

Deputy Clerk's Signature: _____
July 8, 2021

Community Development Update
Minutes of Meeting
July 8, 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 Community Development Director David Callahan, Civil Deputy Prosecuting Attorney Jamila Holmes, Planning Manager Mary Shaw and Deputy Clerk Sandi Gilbertson.

- I. Call to Order: Chair Fillios called the update meeting to order at 9:27 a.m. after deliberations.
- II. Changes to the Agenda. Item D was pulled from the agenda until Civil Deputy Prosecuting Attorney Pat Braden can attend.

III. Business

- A. Consideration of AINs 119379 and 134478 (Discussion Item)

Director Callahan said these properties are located within the incorporated boundary of the City of Harrison. Since both lots are located adjacent and contiguous to one another, the lots could be combined to be a single lot for development. Staff recommends the deed of conveyance be restricted to require future development to meet all applicable codes including the City of Harrison's development regulations and that the Board can accept the bid. The Board agreed to put this item on their next business meeting agenda.

- B. Consideration of AIN 114586 (Discussion Item)

Director Callahan said this property is located in the City of Harrison and .077 acre in size. He said that staff recommends the County convey only to an adjacent property owner so that the parcel can be consolidated into another parcel. The Board agreed to put this item on their next business meeting agenda.

- C. Consideration of an MOU with the University of Idaho Landscape Architecture program to allow faculty, senior and graduate students to assist us with research and development of amendments to our Area of City Impact Agreements. There will be no cost to the county for this assistance. (Action Item)

Director Callahan explained the opportunity to work with the University of Idaho and this program. The Board was in agreement and directed staff to place this on an upcoming business agenda.

- ~~D. Executive session per Idaho Code § 74-206(1)(f): Cooper Code Enforcement Matter Decision/Direction (Open session — Action Item)~~

IV. ADJOURNMENT

There being no further discussion, Fillios adjourned the meeting at 9:34 a.m.

Respectfully submitted,

JIM BRANNON, CLERK

By: _____
Deputy Clerk

Chris Fillios, Chair