

**Minutes of Meeting**  
**Community Development Update**  
**August 3, 2015 1:30 p.m.**

The Kootenai County Board of Commissioners met to discuss Community Development updates. Chairman Stewart, Commissioner Green, and Commissioner Eberlein were present. Also in attendance were Community Development Director David Callahan, Code Compliance Officer Sandy Forstrom, Code Compliance Officer II Roxy Webb, Deputy Building Official Bob Ankersmit, and Deputy Clerk Sandi Gilbertson.

**A. Call to Order:** Commissioner Green called the meeting to order at 1:30 p.m. Chairman Stewart joined the meeting at 1:31 p.m.

**B. Changes to the Agenda:** None

**C. Old Business:**

1. Continued discussion of the vacation rental at Lutherhaven Road.

Mr. Callahan stated that this item was discussed with the Board a few weeks ago (July 13, 2015). There is new information that shows the owner does live in the residence a significant amount of time – three plus months out of the year. It previously looked like it was a 100% rental. Mr. Callahan said he is still comfortable going forward that this is not a residential use because of the definitions in the County's zoning code.

Commissioner Eberlein asked if in the current code is there any definition for how many days the owner has to occupy the property. Mr. Callahan said no and that it is common for single family homes to be rented. Commissioner Green said it becomes more commercial when it is being advertised on the Internet as a lodge vacation rental. He added the neighborhood impacts to septic and parking are what makes this one different. Commissioner Eberlein commented on the safety hazards being created for the neighbors on egress/ingress for emergency services.

Neighbors spoke of their concerns about the lack of supervision on this rental property, the abundance of vehicles parking on the road, and with septic issues.

Cheryl Lantz, Vacation Rental Authority, said the owners or/and their children are in and out of the house when the house isn't being rented. Ms. Lantz addressed parking issues at the property. She said it is unacceptable for any cars to be parked outside of the driveway and garage. Ms. Lantz said that would be cause for a penalty and could include eviction. She added that since this complaint came in, a strict four car maximum is being enforced. Kristine Cincotta, Vacation Rental Authority, said they check on the property periodically and give their business cards to neighbors so any complaint can be called in and addressed as soon as possible.

Commissioner Green said this property is being marketed as commercial and the impacts to the neighborhoods are significant. He said he would not be in favor of a blanket approach but to look at each property individually to examine the impacts. He would be in support of Code Enforcement contacting the owners to get their response. Chairman Stewart said he would agree with Commissioner Green's direction.

Mr. Callahan said it would be helpful to go onto the property to find out if there are any building code violations. Ms. Lantz said she would have to check with the property owners.

Roxy Webb said that there has been a warning letter sent to the owners. She asked what happens to future rentals on this property and is there a cease and desist. Mr. Callahan said he believes that would be the case. Ms. Lantz expressed her concerns with the confirmed reservations and potential legal issues if those reservations were cancelled.

**D. New Business:**

1. Code Enforcement briefings:

a. Condon Conditional Zoning Development Agreement violation

Mr. Callahan said this is a rezoning for North Idaho Martime with a conditional zoning development agreement which narrows the scope of the zoning. Mr. Callahan said several conditions of the agreement have been ignored such as landscape buffering and having no outside storage. He said this is scheduled for the Board to hear on September 17. Commissioner Green said he would be out of the office on the September 17 and asked that it be moved to September 24.

b. Ravenwood RV park building and zoning code violation

Mr. Callahan said Ravenwood RV has a conditional use permit and violations have occurred such as a structure with a swimming pool with no permit. The structure has a final inspection but there is no Fire Department signoff for sprinklers. The structure is being used with no Certificate of Occupancy. Mr. Callahan said the RV Park is being operated and the conditions of the conditional use permit have not been fully implemented. Mr. Callahan said he would like to sue and enforce the County's regulations. Ms. Webb said the notice was mailed on June 26 with 45 days to appeal.

c. Hern Compliance Agreement violation

Mr. Callahan explained the 20 year plus history of this property. He said there is a compliance agreement in place but certain items have not been addressed. A major concern is the two spray booths that should have been removed. Mr. Callahan said he would have the County sue since there is a violation of the compliance agreement. Mr. Braden suggested that a final warning of no more than 30 days be sent to the applicant that litigation will be started if these items are not addressed.

d. Cole building code violation

Ms. Webb said there are seven recorded notices of violations for building codes on this recycling business - everything from change of occupancy to no permits. Mr. Ankermit gave an overview of the lack of permits in this facility. Mr. Callahan expressed his concern with the safety issues and the dangers to the public. The Board's direction was to proceed with legal remedies after notice was given to the Applicant.

**E. Public Comment:** No additional public comment.

There being no further discussion of agenda items or public comment, Chairman Stewart adjourned the meeting at 3:04 p.m.

Respectfully submitted,

JIM BRANNON, CLERK

By: \_\_\_\_\_  
Deputy Clerk

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David Stewart, Chairman