

**MINUTES  
KOOTENAI COUNTY HEARING EXAMINER  
PUBLIC HEARING**

**FEBRUARY 19, 2015  
KOOTENAI COUNTY ADMINISTRATION BLDG.  
ROOM 1**

**HEARING EXAMINER  
STEVEN FRAMPTON**

**STAFF PRESENT  
MEL PALMER  
DAVID CALLAHAN  
KATHRYN FORD**



**MINUTES  
PREPARED BY:**

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**KATHRYN FORD**  
Recording Secretary



**MINUTES  
REVIEWED BY:**

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**MEL PALMER**  
Planner II



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**STEVEN FRAMPTON**  
Hearing Examiner

The Official Record of Public Hearing is on a CD recording available at the Kootenai County Community Development.

**Steven Frampton 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 written recommendations to the Board of County Commissioners, who will make the final decision.

**The hearing was adjourned at 6:09 p.m.**

HEARING EXAMINER MINUTES  
FEBRUARY 19, 2015

**CASE NO. VAR14-0007**

**Type: Variance, a request by Sheila G. Gary,** for two variances to Kootenai County Zoning Ordinance No. 401: The first request is for a variance of approximately nine feet from the 25-foot rear (lake side) setback from the Ordinary High Water Mark of Hayden Lake, in order to make necessary structural improvements to an existing single family residence. The second request is for a variance of approximately seven feet six inches from the ten foot side yard setback to allow an existing “bunk house” to remain in the existing location and to also make structural improvements. The project is located at 13032 N. Rockaway Beach Road, Hayden, ID on 0.315 acres in the Restricted Residential zone. The Parcel Number is 0-6780-000-007-0 and described as: Rockaway Beach, Lot 7, in Section 04, Township 51N Range 03W, B. M., Kootenai County, Idaho.  
*(Planner-Mel Palmer)*

**Staff Presentation:** Mel Palmer, Planner II, introduced the application stating the variance is currently for two non-conforming structures that are in need of repair. The repairs exceed the 50% allowed within the non-conformity. There were no public agency issues and five public comments in support with this request. The site was posted and based on the signed affidavits in the file, the public notice requirements have been met.

**Applicant Presentation:** Sheila Gary, applicant, provided a brief history of the site consisting of a 55 year old cabin and 45 year old bunkhouse. She is planning to have the site disturbed as little as possible. The upgrade is for safety and function to stay within the footprint and Kootenai County guidelines. Ms. Gary questioned if she could do minor changes of the draft building plans that were submitted. David Callahan, Director, addressed the Hearing Examiner stating if the variance was approved the building staff would review plans which could do anything less than what is proposed within the current bounds of the regulations. He added a problem would arise if the structure goes greater than what is proposed.

**Exhibits:** None.

**Public Testimony:** Comment Sheets submitted: 2, Applicant/Representatives - 1; In Favor - 1, Neutral - 0, Opposed - 0. The names and address of the individuals speaking or submitting comments are part of the record. The Public Testimony referencing the above applications had comments regarding:

- Contractor to build within the 25 foot lake side setback

**Applicant Rebuttal:** None.

There being no further comments from the public, testimony was closed on this item at 6:09 p.m. The Hearing Examiner, Steven Frampton will review this case and submit his written report to the Board of County Commissioners within two weeks.

Submitted by,

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Kathryn Ford, Recording Secretary