

**MINUTES
KOOTENAI COUNTY HEARING EXAMINER
PUBLIC HEARING**

**APRIL 16, 2015
KOOTENAI COUNTY ADMINISTRATION BLDG.
ROOM 1**

**HEARING EXAMINER
STEVEN FRAMPTON**

**STAFF PRESENT
VLAD KRYUKOV
DAVID CALLAHAN
KATHRYN FORD**



**MINUTES
PREPARED BY:**

KATHRYN FORD
Recording Secretary



**MINUTES
REVIEWED BY:**

VLAD KRYUKOV
Planner II



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 6:01 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 6:11 p.m.

HEARING EXAMINER MINUTES

APRIL 16, 2015

CASE NO. VAR14-0010

Type: Variance, a request by Wayne Potter for a variance to the Kootenai County Zoning Ordinance rear yard setback of twenty (25) feet. The Applicant is requesting a Variance of 20' to the 25' rear yard setback on a parcel of land 0.783 acres in size in the Restricted Residential zone. The subject property is located at 13494 S. Spirit Lake Shore. The parcel number is 0-0060-000-023-A and described as Amadahi Park, W 200 FT-LT 23 in Section 18, Township 53 North, Range 04 West, B.M., Kootenai County, Idaho. (*Planner-Vlad Kryukov*)

Staff Presentation: Vlad Kryukov, Planner II, introduced the application stating the variance is to the rear yard setback on a lake front property with water access only. The lake is the front yard and the applicant wants to be a permanent resident upon retirement. He added the drainfield and steep slopes encumber the site. Staff visited the site in March by way of land which was difficult to approach due to water and mud on a narrow road with switchbacks. The site can be seasonally accessed during the summer months by land with a permit. There is no effect to adjacent properties or neighbors that would have an adverse impact to public safety, health or welfare. Spirit Lake Fire Protection had concerns due to water access only making fire protection difficult. The site was posted and based on the signed affidavits in the file, the public notice requirements have been met.

Applicant Presentation: Mike Fitzgerald, Applicant Representative, stated he was available to answer any questions. The staff report is factual and shows intent of the use. The building and use of the site is limited with the septic on to the west, steep down slope to the lake on the south, with the lake access from the east and a very steep rock cut to the north side on the property. Mr. Fitzgerald added it is the applicant's retirement dream to locate to this site, work on improvements and have it as his permanent residence with lake access only.

Exhibits: None.

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

Applicant Rebuttal: None.

There being no further comments from the public, testimony was closed on this item at 6:11 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,

Kathryn Ford, Recording Secretary