

**BONNER COUNTY HEARING EXAMINER
PUBLIC HEARING MINUTES
April 5, 2023**

CALL TO ORDER: Hearing Examiner Jackie Rucker called the public hearing to order at 1:34 p.m. in the 3rd Floor Meeting Room of the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho, via Zoom webinar, and YouTube live streaming.

PRESENT: Jackie Rucker, Hearing Examiner

ABSENT: None

ALSO PRESENT: Planning Director Jacob Gabell, Assistant Planning Director Travis Haller, Planner II Daniel Britt, and Hearing Coordinator Jenna Crone.

PLEDGE OF ALLEGIANCE

CHANGES IN AGENDA: None

APPROVAL OF MINUTES: Hearing Examiner Rucker approved the minutes as written March 15, 2023.

PUBLIC HEARING:

CALL FOR VISUAL, HEARING OR OTHER IMPAIRMENT REQUIRING ASSISTANCE: The Hearing Examiner asked whether anyone needed special assistance to hear, see or participate in these proceedings. Hearing no response, she continued with the public hearing.

CONFLICT OF INTEREST/DISCLOSURE DECLARATIONS: Hearing Examiner Jackie Rucker stated that she had no conflict with this proposal.

File CUP0015-22 - Conditional Use Permit - Grotendiek. The applicants are requesting a conditional use permit for an airstrip. The parcel is 21.60 acres. The property is zoned Agricultural/ Forestry-10. The project is located off Swaying Cedars Drive in Section 4, Township 59 North, Range 1 West, Boise-Meridian.

STAFF PRESENTATION: Planner II Daniel Britt presented a summary of the project and previously circulated staff report, concluding this project is consistent with Bonner County Revised Code.

APPLICANT REPRESENTATIVE: Werner Grotendiek, applicant, discussed his experience with aviation and his plans for the proposed airstrip.

PUBLIC/AGENCY INPUT: The following members of the public spoke on the record: Lynda Bailey, Brent Featherston, Tom Wheeler, John Hobday, Rob Hill, Chris Gaddis, Chuck Sheldon, June Sheldon, and Jonna Plante.

APPLICANT REBUTTAL: Werner Grotendiek addressed questions and concerns brought up during public testimony.

HEARING EXAMINER INPUT: The Hearing Examiner closed the hearing to public testimony and discussed findings and conclusions.

DECISION TO DENY: Hearing Examiner Rucker denied project FILE CUP0015-22 for an airstrip located in Section 4, Township 59 North, Range 1 West, Boise Meridian, Bonner County, Idaho, based upon the conclusions of law as stated. The decision is based upon the evidence submitted up to the time the Staff Report was prepared, and testimony received at this hearing. Examiner Rucker further adopted the findings of fact and conclusions of law as set forth in the Staff Report as amended during this hearing and direct planning staff to draft written findings and conclusions to reflect this decision, and transmit to all interested parties. This action does not result in a taking of private property. The action that could be taken, if any, to obtain the conditional use permit is to:

1) File a new application with the Planning Department and meet the standards required by Bonner County Revised Code; or

2) Pursue such remedies as may be applicable at Title 67, Chapter 65, Idaho Code.

Findings of Fact

1. The property is zoned Agricultural/ Forestry-10, where airports (airstrips) are conditionally allowed upon meeting the required standards per BCRC 12-335.
2. The property is accessed by a Swaying Cedars Drive a private easement.
3. Fire protection is provided Northside Fire District.
4. Public services are available for this parcel.
5. The site can have individual well and septic system.
6. The site is 21.60 acres.
7. Request to a deviation to the private road standards appendix A.

Conclusions of Law:

Based upon the findings of fact, the following conclusions of law are adopted:

Conclusion 1

The proposed conditional use permit is **not** in accord with the Bonner County comprehensive plan components:

| | | |
|-----------------|-------------------|----------------|
| Property Rights | Natural Resources | Transportation |
| Hazardous Areas | Community Design | |

Conclusion 2

This proposal was reviewed for compliance with the criteria and standards set forth in BCRC Chapter 3, Subchapter 3.3 BCRC Chapter 4, Subchapter 4.2, 4.3, 4.4, 4.5 and 4.6 Title 12, Chapter 7, Subchapter 7.2 Title 12, Bonner County Revised Code.

Conclusion 3

The proposed use **will** create a hazard and **will** be dangerous to persons on or adjacent to the property.

DISCUSSION:

- **Hearing Examiner and Staff Updates**
 - Workshop with the Commissioners on April 17th on the Comp Plan process
 - Workshop with the Board on the Population and Public Airport Components on April 6th

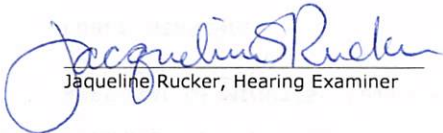
At 3:58 p.m., the Hearing Examiner declared the hearing adjourned until April 19, 2023

Respectfully submitted,



Jacob Gabell, Planning Director

The above Minutes are hereby approved this 19th day of April 2023.



Jaqueline Rucker, Hearing Examiner