

**BONNER COUNTY PLANNING and ZONING COMMISSION
PUBLIC HEARING MINUTES
THURSDAY, DECEMBER 6, 2018**

CALL TO ORDER: Chair Davis called the Bonner County Planning and Zoning Commission hearing to order at 5:30 p.m. in the 1st Floor Conference Room of the Bonner County Administration Building, 1500 Highway 2, Sandpoint, Idaho.

PRESENT: Commissioners Chair Don Davis; Vice Chair Brian Bailey; Taylor Bradish; Trevor Kempton; Sheryl Reeve; Suzanne Glasoe; and Matt Linscott

ABSENT: None

ALSO PRESENT: Planning Director Milton Ollerton, Planner I Sam Ross, and Office Manager Jeanne Welter

CONSENT AGENDA:

APPROVAL OF MINUTES: The Chair requested the Commissioners declare if they had any corrections or changes to the approval of minutes as written for: November 15, 2018. Hearing no changes or objections, the Chair declared the minutes approved as written.

PUBLIC HEARINGS:

VARIANCE

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

FILE V516-18 – Side Yard Setback Variance – Sean Fitzpatrick is requesting a 0'-00" side yard setback, where 5'-00" is required, to convert an existing garage to an accessory dwelling unit. The site is located about ½ mile East of Kootenai, in Section 12, Township 56 North, Range 02 West, B.M. The site is zoned Suburban.

CONFLICT OF INTEREST/DISCLOSURE DECLARATIONS: The Chair requested the Commissioners declare any conflicts of interest or disclosures. The Chair noted that there were no disclosures or conflicts.

STAFF PRESENTATION: Planner I Sam Ross presented a PowerPoint summary of the project and previously circulated staff report, concluding this project is consistent with Bonner County Revised Code.

APPLICANT PRESENTATION: Sean Fitzpatrick stated it is a gable roof that slopes onto the neighbor's property. He stated they are going to build so that all the water runoff stays on his property.

PUBLIC/AGENCY TESTIMONY: None.

APPLICANT REBUTTAL: None.

COMMISSION DELIBERATION: The Chair closed the hearing to public testimony. The Commission discussed Findings and Conclusions.

PLANNING COMMISSION

MOTION TO APPROVE: Commissioner Linscott moved to approve this project FILE V516-18 for a 0'-0" Side setback to allow for the expansion of the existing attic space above the existing garage and become an Accessory Dwelling Unit with a new deck and stair way on the South and West sides of the building, finding that it is in accord with the Bonner County Revised Code as enumerated in the following conclusions of law, and based upon the evidence submitted up to the time the Staff Report was prepared and testimony received at this hearing. Commissioner Linscott further moved to adopt the following findings of fact and conclusions of law as amended adding condition B-2 to obtain a building location permit for the Accessory Dwelling Unit. The action that could be taken to obtain the variance is to complete the Conditions of Approval as adopted. This action does not result in a taking of private property. Commissioner Bailey seconded the motion.

VOTED upon and the Chair declared the motion carried, unanimously.

Background:

- A. Site data:** The subject property is a
 - Residential Use
 - Unplatted
 - Size: 0.27 acres
 - Suburban zone
- B. Access:**
 - Access is provided by Kootenai Bay Road, a paved, 2-way 40' wide, county maintained road.
- C. Environmental factors:**
 - Site does not contain mapped slopes. (USGS)
 - Site does not contain mapped wetlands. (USFWS)
 - Site is not located in a Special Flood Hazard Area (DFIRM Panel # 0720E, Zone X – 0.2% annual chance of flood hazard) (FEMA)
- D. Services:**
 - Water: City of Sandpoint
 - Sewage: Ponderay/Kootenai Sewer District
 - Fire: North Side Bay Fire District
 - Power: Avista