

**SANDPOINT PLANNING COMMISSION MEETING  
5:30 P.M. CITY HALL COUNCIL CHAMBERS  
MINUTES OF JULY 16, 2019**

**COMMISSION MEMBERS PRESENT:** Slate Kamp, Tom Riggs, Travis Sherman, Forrest Schuck

**COMMISSION MEMBERS ABSENT:** Jason Meyer, Cate Huisman, John Hastings

**STAFF MEMBERS PRESENT:** Planning & Community Development Director Aaron Qualls, Planner Ryan Shea (minutes)

Chairman Riggs called the meeting to order at 5:30 p.m.

**Matters from the Public:** None.

**Approval of the Consent:**

Riggs pointed out that Strauss needs to be swapped with Schuck on the minutes. Commissioner Schuck moved to approve and Commissioner Sherman seconded to approve the minutes of June 18, 2019 as amended. **Motion passes unanimously.**

**Agenda Item B: VAR19-01: Scarlett Alley Variance Public Hearing – ACTION ITEM**

Qualls went over the order of the public hearing.

**Staff Presentation:**

Qualls gave a brief presentation on the proposal. The parcel size is just over 15,000 square feet and is unique in shape due to Main Ave running at an angle relative to other blocks in the City. Poplar St. was vacated in the early 90s which gave half of the alley to the northern end of this parcel. Qualls said that the applicant is requesting to create a lot on the south end of this parcel which would leave it only fronting an alley while code requires the fronting of a street. Qualls went over the specific requirements in order to grant a variance. Qualls went over the recommended staff conditions: dedication of the eastern-most 8' to ensure that the northern end of the alley is public and hard surfacing of said alley.

Riggs asked how they are currently being accessed. Qualls said that they are currently being accessed via the alley.

Schuck asked who would maintain the alley in the winter. Qualls said the adjacent property owner. Schuck said he was specifically concerned about emergency vehicle access. Qualls said that fire trucks would be able to get there through the alley, either by pulling from a nearby hydrant or driving there.

Riggs asked that even without the variance the two existing units in the rear could still be accessed by the alley. Qualls said yes. Riggs wondered if obtaining more than 8' would be prudent at this point. Qualls said that it would not be ideal to create a jog in the alley and would instead try to obtain the neighbor's 8' to the east of this project.

**Applicant's Presentation:**

Rama Scarlett is the applicant, and said that the literal interpretation of the code deprives him of the rights that other property owners enjoy to split their lots. Scarlett clarified that nothing is really changing – the units will remain where they are but will just be divided by property line. Scarlett said that when he built these homes he considered them fronting the alley and would meet code requirements for setbacks.

Scarlett said that the concerns from the neighbors have been pointed out as snow storage and additional traffic. Scarlett said that he has no issue with dedicating an 8' portion of the alley at the north end of the parcel. He added that he was required to previously provide an all-weather surface for emergency vehicles required through the building permit process. Scarlett said that he believes hard surfacing to be unnecessary. Scarlett said that the staff-recommended condition to pave the alley could create safety concerns as if it was paved there could be additional traffic. Rama requested that the deadline for hard surfacing be extended due to how busy contractors currently are.

Riggs asked about having the time limit pushed back further. Qualls said that bonding for the alley improvements could be an alternative so that it could be done at a later date.

Riggs said that staff recommends hard surfacing while the fire chief asked for something a little less. Qualls clarified that the time of platting is when public improvements are typically required and the fire chief requested the all-weather surface at time of building permits.

**In Favor:** None.

**Neutral:** None.

**Against:** None.

**Public Hearing Closed.**

Qualls asked the Commission members if they have had ex-parte contact or conflicts of interest in regards to this application. The Commissioners had none.

## **Deliberation:**

Kamp said that he supports the requirement of hard surfacing as he agrees that Ting's comment that an increase of use/plowing may have a detrimental effect on their utilities.

**Kamp made a motion** to, after consideration of the criteria and relevant standards of Idaho Code and Sandpoint City Code, APPROVE the request by Rama Scarlett for a variance from lot frontage requirements per Sandpoint City Code §9-4-2-3-A subject to the staff recommended conditions presented for one parcel totaling .35 acres, which is legally described as: 32-57N-2W WEST END ADD BLK 44, E 60FT OF LOTS 17,18, 19,20,21,22,23 & 24 PLUS A PORTION OF VACATED POPLAR ST. The reasons for this decision are: 1. Staff has followed the notice procedures applicable to variances contained in Idaho Code §67-6516 and Sandpoint City Code Title 9, Chapter 9. 2. The requested variance is not in conflict with the public interest and is in keeping with the goals and policies of the City's Comprehensive Plan. 3. That special conditions and circumstances exist which are peculiar to the land, structures or buildings in the same district. 4. That a literal interpretation of the applicable sections of this Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Code. 5. That special considerations, conditions and circumstances do not result from actions or desires of the applicant, and, 6. That granting the variance requested will not confer on the applicant any special privileges that are denied by this Code to other land, structures or buildings in the same district.

Along with both of the staff recommended conditions:

1. That the property owner dedicate the Eastern most 8 feet of the property to provide for connectivity of the Alley to Main St. at time of platting.
2. That hard surfacing of the alley be completed prior to final plat approval.

## **Seconded by Schuck.**

Kamp said that there are already two lots fronting an alley nearby.

Riggs said that the lot is oddly shaped and that three units are allowed on the parcel with or without the variance. It also appears to meet the minimum requirements for lot size and has small street frontage on Main. The Commission agreed.

## ***Motion passes unanimously. 4-0.***

## **Agenda Item C: Rules of Order – "Parliamentary Procedure Made Easier"**

Qualls gave a presentation of the parliamentary procedures. Qualls said that Council may adopt these rules for City business pending tomorrow's Council decision. Qualls said these rules generally allow for more flexibility. Riggs said that he believes Robert's Rules are not the easiest to understand.

**MATTERS FROM STAFF:** Tadic told the Commission that a bid was accepted for the next phase of the Downtown project.

**ADJOURNMENT:** The meeting adjourned at 6:13 p.m.

DRAFT