

**SANDPOINT PLANNING COMMISSION MEETING
5:30 P.M. CITY HALL COUNCIL CHAMBERS
MINUTES OF APRIL 3, 2012**

COMMISSION MEMBERS PRESENT: Rob Herrera, Scott Wohlschlager, Tom Russell, Collin Beggs

COMMISSION MEMBERS ABSENT: Cate Huisman, Deb Fragoso, Kathleen Hyde-Bordenave

STAFF MEMBERS PRESENT: City Attorney Scot Campbell, Planning Director Jeremy Grimm, Senior Planner Joan Bramblee, Planning Assistant Melissa Bethel

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

A. Approval of Minutes:

Commissioner Wohlschlager moved and Commissioner Russell second to approve the March 20, 2012 minutes. **Motion passes unanimously.**

B. PUBLIC HEARING:

VAR12-01 – A request by **Troy Krumenacker** for a variance from the provisions of the Residential Single-Family (RS) zone which require a street-facing garage to either be recessed or flush with the primary façade. The requested variance would allow for construction of a home where the garage will extend approximately 37 feet in front of its primary façade. The 11,221 square foot parcel is described as Lot 5, Bridgeview Subdivision, and is located at the south end of Bryce Lane, a private road which extends south from Elm Street west of its intersection with Merton Street.

Staff Report:

Bramblee reviewed for the new Commissioners how the public hearing process will proceed. Bramblee explained the application is for a variance from one of the standards of the new residential code which requires the garage to be either flush or recess from the façade of the home. She stated the Lot is located in a subdivision which was created in 2005 and the access is a private road. Bramblee advised the Commission the conditions are a reiteration from the original subdivision requirements. Bramblee gave a brief physical description of the Lot.

Chairman Herrera inquired regarding topography of the lot. A map was displayed showing topography.

Commissioner Beggs inquired if the driveway will be used for the additional parking required of the subdivision. Bramblee stated the applicant will be able to answer that question.

Commissioner Wohlschlager inquired if the code treats private roads different from public. Grimm stated the code discusses garages in both contexts and to be safe, he determined the applicant should apply for the Variance.

Commissioner Russell clarified the subdivision was approved in 2005 and the residential code was established in January of this year. Grimm stated if the applicant had applied for a building permit before January, he would have been allowed to build outright.

Commissioner Russell inquired if the narrow frontage would be allowed under the new code. Bramblee stated the current code requires a Lot width of 50 feet regardless of whether the street is a cul de sac.

Applicants Presentation:

Troy Krumenacker spoke as the applicant and developer. Krumenacker gave a brief background on the Bridge View subdivision and infrastructure. Krumenacker stated although the development was a subdivision, he had building plans for each lot based on how the subdivision was laid out. Krumenacker stated the existing homes are beautiful and the area is one of the nicest in Sandpoint. He stated the homes are designed with view corridors and the neighbors have bought into the development with approval of the plans of future homes. Krumenacker stated there is a drop off to the east and a tree in front he would like to save. Krumenacker stated between the tree, light post, and fire hydrant and slope it is nearly impossible to get a garage behind the home. Krumenacker stated this lot is the only one remaining which will have trouble meeting the garage standards. Krumenacker stated the garage will be extremely attractive like the other homes in the development.

Questions for applicant:

Commissioner Beggs inquired if parking will be on the driveway. Krumenacker stated he will park two cars in the garage and two can be parked in the driveway.

Chairman Herrera inquired if the applicant has reviewed the staff recommendations. Krumenacker stated he does not have any issues with meeting the staff requirements.

Commissioner Russell inquired if the applicant submitted elevations for the house plan. Krumenacker stated he did not submit elevations. He described the elevation. Bramblee reiterated the Variance is only for the requirement of garage placement, and the other requirements of the residential code will be met.

Commissioner Russell inquired when the plans were designed. Krumenacker stated the plans in the packets were updated based on minor changes by the client, but the overall design of the home was considered when the lot was designed.

Commissioner Wohlschlager clarified the request for Variance is for both the protruding garage and the 50% façade requirement.

Commissioner Wohlschlager inquired about the tree at the back of the Lot. Krumenacker stated the tree will need to go since it is currently sitting where the master bedroom will be located. Krumenacker stated he has done extremely well in preserving the trees in the development, even going so far as transplanting.

Chairman Herrera inquired if the Lot has sold. Krumenacker stated until this issue is resolved, he can not enter into the agreement, but has a buyer. He stated even if the offer does not go through, he still plans on building the same house.

Chairman Herrera opened the public hearing

Public Comment: None

Chairman Herrera closed the public hearing

Discussion:

Grimm advised the Commission of the findings needed to approve a Variance.

Commissioner Wohlschlager stated the narrow and steep slope of the lot create a hardship. He stated the garage does seem long, but is generally in favor of the Variance.

Commissioner Russell stated he is in agreement with Commissioner Wohlschlager and sees the desire to maximize the potential of a water front lot. He stated he is not sure a house could not be designed to meet current garage standards, but the result would not be in character with the existing development.

Commissioner Beggs stated his understanding of the garage setback requirement was to allow pedestrian access and street interaction. Commissioner Beggs stated this development with the lake views and cul de sac does not lend itself to meet the intent.

Chairman Herrera stated he agrees with the other Commissioners. He stated he is sensitive to the goal of maximizing the site and the applicant has gone out of his way to be sensitive to code and the development and this site does not lend itself to be able to meet the code.

Motion:

Commissioner Wohlschlager moved and Commissioner Beggs second the Planning Commission, after consideration of the criteria and relevant standards of *Idaho Code* and *Sandpoint City Code*, APPROVE the request by Troy Krumenacker for a variance from the provisions of the Residential Single-Family (RS) zone which require a street-facing garage to either be recessed or flush with the primary façade and the garage must be only 50% of the front facing facade. The requested variance would allow for construction of a home where the garage will extend approximately 37 feet in front of its primary façade. The 11,221 square foot parcel is described as Lot 5, Bridgeview Subdivision, and is located at the south end of Bryce Lane, a private road which extends south from Elm Street west of its intersection with Merton Street.

Subject to the following 5 conditions recommended by Staff.

1. The applicant will provide a minimum of 4 off street parking spaces on this lot.
2. Any trees on this lot that provide eagle habitat should remain if possible.
3. Addressing for each dwelling constructed within the development shall comply with City Code and shall be posted to be visible from the street by Public Safety

agencies.

4. New development adhering to the 40- foot setback from the artificial high water mark is required to plant 50 percent of the area in the minimum 25-foot building setback with native vegetation comprised of a mixture of grasses and shrubs.
5. The project will be required to meet the current International Building and Fire Codes.

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. Based on information presented at the hearing and the placement of limitations through conditions, the application by Troy Krumenacker (VAR12-01) for a variance is in compliance with the four criteria for variances as outlined in Sandpoint City Code §9-9-6B.3.c(5).
3. The requested variance is in keeping with the goals and policies of the City's Comprehensive Plan.

Motion passes unanimously.

C. ACI Review: Curto Daycare

Bethel stated the application is an Area of City Impact review from Bonner County. She stated the Conditional Use Permit is for an existing daycare on Shadow Valley Mt Road. Bethel advised the Commission the Comprehensive Plan designates the area as Very Rural and the closest zoning the City has is the Rural Residential.

The Commission discussed Area of City Impact applications and the review process.

The Commission discussed existing septic capacity and utility expansion. Grimm stated the Planning Commission can recommend the applicant is encouraged or shall strive to connect to municipal services when available.

Motion:

Commissioner Wohlschlager moved and Commissioner Russell second to recommend to the City Council that the Bonner County Planning Department be advised the City has the following comments on the proposed Conditional Use Permit County file #C955-12.

1. The Applicant should be advised the City's current Rural Residential zone provisions would limit the use of a daycare to 6 or fewer children.
2. The house should be addressed with numbers that are at least four inches in height and which contrast with their background.

