

CITY BOARD OF ADJUSTMENT

MINUTES May 3, 2017

Name	Title	01/04/2017	02/01/2017	03/01/2017	04/05/2017	05/03/2017	06/07/2017	08/02/2017	08/03/2016	09/06/2017	10/04/2017	11/01/2017	12/06/2017
Jeff Bollman	Board member	1	1	E	1	E							
Dave Hagstrom	Board member	1	1	1	1	1							
Paul Hagen	Board member	1	1	1	1	1							
Frank Chesarek	Vice Chairman	1	1	E	1	1							
Oscar Heinrich	Board member	1	1	E	1	1							
Martin Connell	Board member	1	1	1	1	E							
Mark Noennig	Chairman	1	1	1	E	1							

TOTAL NUMBER OF APPLICATIONS 2017	01/04/2017	02/01/2017	03/01/2017	04/05/2017	05/03/2017	06/07/2017	08/02/2017	08/03/2016	09/06/2017	10/04/2017	11/01/2017	12/06/2017	TOTAL
Variance	1	1	7	2	1								12

Chairman Noennig called the meeting to order at 6:00 p.m. The City Board of Adjustment met in the first floor conference room of the Miller Building located at 2825 3rd Avenue North.

Nicole Cromwell introduced the City Board of Adjustment members and Planning Department staff. Attending Staff members are Nicole Cromwell, Zoning Coordinator and Robbin Bartley, Administrative Support.

Attending: Frank & Gloria Perusich

Public Comment

Chairman Noennig opened the public comment period and asked if there was anyone wishing to speak during the public comment portion of the meeting. There were none. Chairman Noennig closed the public comment period.

Approval Meeting Minutes

Board member Oscar Heinrich made a motion for the approval of April 5, 2017 minutes Chairman Noennig seconded the motion. Minutes were approved by unanimous voice vote 5-0.

Disclosure of any Conflict of Interest, Ex Parte Communications and Site Visits

A new form has been implemented for any disclosures. If any Board member circled yes to a Conflict of Interest or Ex Parte Communication, it will be explained here.

Public Hearings

Nicole Cromwell reviewed the procedures for public hearings and stated the Board will open a public hearing and allow public comment this evening. He reviewed the hearing and presentation processes for the meeting and acting on each variance.

Nicole Cromwell read the legal description for **Variance #1259**:

City Variance 1259 – 922 Royal Avenue – Lot Coverage – A variance from 27-308 requiring a maximum lot coverage of 30% to allow a maximum lot coverage of 36% (3518 sf +) in a Residential 9,600 (R-96) zone on Lot 12, Block 6, Kingston Place Subdivision, a 9,917 square foot parcel of land, for the purpose of construction of a 112 square foot patio cover. Tax ID: A33729.

RECOMMENDATION

Planning Staff is recommending conditional approval and adoption of the findings of the 7 criteria.

Questions for Staff:

Board member Hagstrom asked if granting this variance will set a precedent? The neighborhood has large homes. Lot coverage variances do not seem to be common in the area but there are 2 lots on Royal where the homes exceed the 30% maximum but do not have variances of record.

Public Hearing

Chairman Noennig opened the public hearing and asked if there was anyone wishing to speak in favor or against **City Variance #1259**.

Frank Perusich, 922 Royal Ave, Billings, MT, owner

Mr. Perusich indicated the less grass to mow the better. He would like to have this covered patio area. His wife doesn't like mosquitos.

OPPOSED

None

BOARD MEMBER Chesarek made a motion and BOARD MEMBER Hagen seconded the motion to approve **City Variance #1259** with the Findings of Fact presented by Staff.

Board member	Yes	No	Not Present
Jeff Bollman			x
Dave Hagstrom	x		
Paul Hagen	x		
Frank Chesarek	x		
Oscar Heinrich	x		
Martin Connell			x
Mark Noennig	x		

The motion to approve City Variance #1259 passed 5-0.

The public hearing was closed at 6:30 PM.

Other business:

The next meeting will be on June 7, 2017.

The meeting adjourned at 6:30 PM.

ATTEST: DRAFT. To be approved by a motion June 7, 2017.