



**PLANNING DIVISION**  
"SERVING BILLINGS, BROADVIEW AND YELLOWSTONE COUNTY"  
**PLANNING & COMMUNITY SERVICES DEPARTMENT**  
2825 3<sup>RD</sup> AVENUE NORTH, 4<sup>TH</sup> FLOOR  
BILLINGS, MONTANA 59101  
PHONE: (406)247-8676 FAX: (406) 657-8327



September 15, 2017

**Appeal of Administrative Decision**  
**COUNTY Variance #268**  
**Project Number: PLN-17-00345**

Dear Interested Party:

This is to inform you of the following Administrative Appeal recently submitted to the Planning Division:

**County Variance 268 – C/S 2074 Parcel 1A2 Tax ID#X00416 Tax ID X00417** –An appeal of an administrative decision to grant a Zoning Compliance Permit for a Solar Photo – Voltaic Facility on property legally described as C/S 2074 Parcel 1A2 Tax ID#X00416 Tax ID 00417, consisting of 369 acres of land generally located at 3916 Alkali Creek Road.

Notice is hereby given that the Board of Adjustment of Yellowstone County, Montana will hold a public hearing on **Thursday, October 12, 2017, at 4:00 pm in the City Conference Room, 1<sup>st</sup> Floor, Miller Building, 2825 3<sup>rd</sup> Avenue North.**

Information on the preceding item(s) may be obtained at the Planning & Community Services Department, 4<sup>th</sup> Floor of the Miller Building, 2825 3<sup>rd</sup> Ave North, Billings, MT 59101 or phone 657-8247. Anyone wishing to be heard on this matter may appear at this hearing or provide written testimony to Planning Division at the address above.

Public hearings are accessible to individuals with physical disabilities. Special arrangements for participation in the public hearings by individuals with hearing, speech, or vision impairment may be made upon request at least three days prior to the hearing. Please notify Tammy Deines, Planning Clerk, at 247-8610 or e-mail at [deinest@ci.billings.mt.us](mailto:deinest@ci.billings.mt.us)  
Sincerely,

**The Staff of the Planning Division**

**SEC. 27-1510. COUNTY BOARD OF ADJUSTMENT.**

(c) *Hearing, appeals, notices.* Appeals to the county board of adjustment may be taken by any person aggrieved or by any office, department or bureau of the county affected by any decisions of the administrative officer. Such appeal shall be taken within a reasonable time, not to exceed thirty (30) days, by filing a notice of appeal specifying the grounds thereof with the officer from whom the appeal is taken and with the county board of adjustment.

At the hearing any party may appear in person, by agent or attorney.

(e) *Powers and duties.* The county board of adjustment shall have the following powers:

- (1) To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement or interpretation of this chapter or of any resolution/ordinance adopted pursuant thereto;

(f) *Decision and appeals.* In exercising the above mentioned powers, the county board of adjustment may, in conformity with the provisions of this chapter, reverse or affirm, wholly or partly, or modify the order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the office from whom the appeal is taken. The concurring vote of three (3) members of the board shall be necessary to reverse any order, requirement, decision or determination of any administrative official.