

**Yellowstone County Board of Adjustment  
Meeting Minutes, September 12, 2019  
Approved by motion June 11, 2020**



The County Board of Adjustment met on September 12, 2019 in the 1<sup>st</sup> Floor Conference Room of the Miller Building located at 2925 3<sup>rd</sup> Avenue North. Chairperson Boucher called the meeting to order at 4:00 p.m.

Name	Title	03/08/2018	05/10/2018	11/08/2018	01/10/2019	06/13/2019	09/12/2019				
<b>Blaine Poppler</b>	Vice Chair	1	1	1	1	1	1				
<b>Carlotta Hecker</b>	Board member	1	1	1	1	E	1				
<b>Troy Boucher</b>	Chairman	1	1	1	1	1	1				
<b>Tyler Bush</b>	Board member	-	-	-	E	1	1				
<b>Vacant</b>		-	-	-	-	-	-				

**Chairman Boucher** introduced the County Zoning Commission members and staff in attendance: Nicole Cromwell, Zoning Coordinator; Karen Husman, Planner I, Tammy Deines, Planning Clerk

**Others in Attendance:** Peter Heideman, applicant

**Public Comments:** There were no public comments.

**Approval of Minutes June 13, 2019 (The July 8, 2019, and August 8, 2019 meetings were canceled due to a lack of agenda items).**

**Motion**

Board member **Bush** made a motion and Board member **Boucher** seconded the motion to approve the June 13, 2019 meeting minutes as submitted. The motion passed with a unanimous voice vote.

**Disclosure of Conflict of Interest:** There were no disclosures of conflict of interest.

**Disclosure of Exparte Communication**

There were no disclosures of exparte communication from the Board.

**PUBLIC HEARINGS:**

Zoning Coordinator Nicole Cromwell reviewed the procedures for public hearing and stated the Board will open a public hearing and allow public comment this evening. She reviewed the

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hearing and presentation processes for the meeting for reviewing and acting on each variance.

**Item #1: County Variance #292-120 Sunlight Circle. Karen Husman, Planner I, presenting.**  
Nicole Cromwell read the rules and procedures for a public hearing and the legal ad for County Variance #292.

**REQUEST**

County Variance 293 – 2312 Kimble Avenue – Sign size in an Ag-Open zone - A variance from Section 27-704 (a) requiring a maximum of 48 square feet of sign area, to allow a maximum of 336 square feet (per side) of sign area, in an Agricultural-Open Space (A-1) zone, on Block 1, Lot 7A of amended lot 19 a 1.17 acre parcel of land. The purpose of the variance is to allow an on premise sign for a large animal veterinary hospital within the interstate corridor. Tax ID: A09614

**RECOMMENDATION:**

The Planning staff is recommending conditional approval and adoption of the findings of the criteria for Variance 293.

The variance is to allow a freestanding sign of 240 square feet per side, with a maximum height of 40 feet with external illumination for the existing veterinary hospital on the property. No other variance is intended or implied.

1. The variance is limited to Lot 7A, Block 1, Kimble Subdivision, 3<sup>rd</sup> Filing, generally located at 2312 Kimble Dr.
2. The new sign will be built in substantial conformance with the submitted site plans. Minor deviations that do not create a violation of another zoning requirement are acceptable.
3. There will be no construction prior to 7 am or after 8 pm daily.
4. The sign will not be converted to an off-premise or billboard sign at any time. The sign may only advertise businesses, occupations, or activities that occur on the subject property.
5. The applicant will obtain a sign permit in accordance with the approved variance within 6 months of Board approval. Construction on the approved sign will begin within 4 months of sign permit approval and completed within 1 year of Board approval.
6. These conditions of variance approval shall run with the land described in this authorization and shall apply to all current and subsequent owners, operators, managers, lease holders, heirs and assigns.

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## Discussion

Chairperson Boucher called for questions and discussion from the members of the Board. Board member Hecker asked for a comparable photo of the allowable sign as denoted in the staff report and Ms. Cromwell gave several examples. In response to question by Board member Bush, staff stated the allowable height is 40-feet maximum measured from the adjacent local street.

## Public Hearing

Chairperson Boucher opened the public hearing and asked if there is anyone wishing to speak in favor or against County Variance #293.

## Peter Heideman, 549 East Medidal Street, Bozeman, Montana

Mr. Heideman is the applicant. He explained to the Board that the proposed sign will have a simplistic design and referred to the posted photos of the property.

## Public Hearing

Chairman Boucher opened the Public Hearing and asked if there is anyone else wishing to speak in favor or against County Variance #293. There was none. At 4:30 p.m., Chairman Boucher closed the public hearing and called for a motion.

## Motion

**Board member Hecker made a motion and Board member Bush seconded the motion to forward a recommendation to the Board of County Commissioners of conditional approval of County Variance #293 with the Findings and Criterion presented by Staff.**

**Discussion:** There was no further discussion on the motion.

**The motion carried with a unanimous voice vote. 3-0. Variance #293 is conditionally approved.**

## Other Business/Announcements

- **Announcement:** The **October 10, 2019** Yellowstone County Board of Adjustment meeting is cancelled due to a lack of applications. The next meeting will be held as legally announced and advertised.

**Adjournment:** Adjourned 4:45 p.m.

APPROVED BY A MOTION JUNE 11, 2020

