

CITY BOARD OF ADJUSTMENT

MINUTES March 3, 2021

Name	Title	Applications												
		01/06/2021	02/03/2021	03/03/2021	04/07/2021	05/05/2021	06/02/2021	07/07/2021	08/04/2021	09/01/2021	10/06/2021	11/03/2021	12/01/2021	
David Mitchell	Member	1	E	1										
Dave Hagstrom	Member	1		1										
Paul Hagen	Member	1	1	1										
Jeff Bollman	Vice Chair	1	1	1										
Oscar Heinrich	Member	1	1	E										
Martin Connell	Member	1	1	E										
Mark Noennig	Chair	1	1	1										
TOTAL NUMBER OF APPLICATIONS 2021		01/06/2021	02/03/2021	03/03/2021	04/07/2021	05/05/2021	06/02/2021	07/07/2021	08/04/2021	09/01/2021	10/06/2021	11/03/2021	12/01/2021	TOTAL
Variance		4	5*	1										10

One return Variance from January 6, 2021 meeting.

Chair Noennig called the meeting to order at 6:04 p.m. The City Board of Adjustment met virtually thru Zoom <https://zoom.us/j/95905224215>.

Nicole Cromwell introduced the City Board of Adjustment members and Planning Department staff. Attending Staff members are Nicole Cromwell, Zoning Coordinator; Karen Husman, Planner I; and Robbin Bartley, Administrative Assistant.

Attending:

Public Comment

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

Approval of Meeting Minutes

Meeting minutes for January 6, 2021 and February 3, 2021 have been delayed.

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

Board member Hagstrom had no exparte communications, has no conflicts of interest and visited no sites.

Board member Hagen had no exparte communications, has no conflicts of interest and visited 1 site.

Vice Chair Bollman had no exparte communications, has no conflicts of interest and visited no sites.

Board member Connell had no exparte communications, has no conflicts of interest and visited no sites.

Chairman Noennig had no exparte communications, has no conflicts of interest and visited no sites.

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

City Variance – 1330 – 906 N. 32nd St.– Side Yard setback and LC- A variance from 27-308 requiring a 5-foot side setback to allow a 3-foot side setback, and from 27-308 requiring a maximum lot coverage of 30% to allow 31% maximum lot coverage, for an addition to the existing home and garage in a Residential-7000 (R-70) zone, on Block 19, Lot 6, & the North 15 feet of Lot 8, North Elevation Subdivision 3rd Filing, an 8,024 square foot parcel of land. The purpose of the variance is to allow expansion of the existing home and garage. Tax ID: A11840

RECOMMENDATION

Planning staff has reviewed this application & is recommending conditional approval of Variance #1330. Based on the Determinations for granting a variance.

1. This variance is to allow 3-foot side setback for addition to an existing dwelling and garage generally located at 906 North 32nd Street. No other variance is intended or implied with this approval.
2. It is limited to the North 15 feet of Lot 8 and Lot 9, Block 19 of North Elevation Subdivision, 3rd Filing.
3. The applicant will submit for & obtain a building permit for the addition within 12 months and have it completed within 24 months.
4. The applicant will construct the addition in substantial conformance to the drawings submitted with this variance request.
5. Construction or demolition activity will not occur prior to 7 am or after 8 pm daily.
6. The applicant shall meet all other city code requirements ...
7. Failure to begin or complete actions required by this approval within the time limits set forth shall void this variance.
8. 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.

Questions for staff:

Board member Hagen asked if the existing garage be replaced? – Deferred to applicant

Public Hearing

Chair Noennig opened the public hearing at 6:16PM and asked if there was anyone wishing to speak in favor or against **City Variance 1330**.

Applicant: Dusty & Karen Eaton, 906 N 32nd, Billings, MT

They are very committed to being in this area of town and maintaining the historic look. They will be tearing down the existing garage and replacing it.

Favor NONE

Opposed NONE

Discussion

At 6:21PM, Chair Noennig closed the Public Hearing and called for a motion.

Motion

Board Member Mitchell made a motion and Board Member Hagen seconded the motion to approve **City Variance 1330** with staff findings of fact.

MEMBER	YES	NO	ABSTAINED	NOT PRESENT
David Mitchell	X			
Dave Hagstrom	X			
Paul Hagen	X			
Jeff Bollman	X			
Oscar Heinrich				X
Martin Connell				X
Mark Noennig	X			

The motion to approve City Variance 1330 passed with a 5-0 vote.

Other Business:

ADJOURNMENT: The meeting adjourned at 6:25PM.

ATTEST: APPROVED.

