

CITY BOARD OF ADJUSTMENT

MINUTES August 4, 2021

Name	Title	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	-	1	-	E	1					
Dave Hagstrom	Member	1		1	-	1	-	1	E					
Paul Hagen	Member	1	1	1	-	1	-	1	1					
Jeff Bollman	Vice Chair	1	1	1	-	1	-	1	E					
Oscar Heinrich	Member	1	1	E	-	1	-	E	1					
Martin Connell	Member	1	1	E	-	1	-	1	1					
Mark Noennig	Chair	1	1	1	-	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	-	1	-	2	2					15

One return Variance from January 6, 2021 meeting.

Chair Noennig called the meeting to order at 6:01 p.m.

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 July 7, 2021.

Board member Heinrich motioned for approval of the July 7, 2021 minutes, Board member Connell seconded. Approved by unanimous voice vote.

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

Board member Mitchell had no ex parte communications, has no conflicts of interest and visited 2 sites.

Board member Hagen had no ex parte communications, has no conflicts of interest and visited 0 sites.

Board member Heinrich had no ex parte communications, has no conflicts of interest and visited 2 sites.

Board member Connell had no ex parte communications, has no conflicts of interest and visited 0 sites.

Chairman Noennig had no ex parte communications, has no conflicts of interest and visited 0 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 – 1335 – 3803 Central Ave (MSUB) – Land use contrary to zoning - A public forum to gather comment on a proposed sign contrary to the City Sign Code (Section 27-1408.E) *The City Board of Adjustment has no power to approve, deny or attach conditions to the proposed use. State law (MCA 76-2-402) requires a forum before the Board of Adjustment to receive public comment.* To allow temporary banner signs attached to a fence on Parcel 1, Certificate of Survey 3340, a 33.075 acre parcel of land. Tax ID: D00324

Questions for staff:

Public Hearing

Chair Noennig opened the public hearing at 6:11PM and asked if there was anyone wishing to speak in favor or against **City Variance 1335**.

Favor

Mike Bazemore, Athletic Director, MSU Billings

Mr. Bazemore feels denying the variance would damage the relationship with financial supporters, providing \$68,700 per year at \$2500.00 for on field signs.

Provost Vice Chancellor stated this money supports the students first, the athletics second.

Opposed- NONE

Discussion-NONE

At 6:14PM, Chair Noennig closed the Public Hearing.

City Variance –1336 — Glynn Abby – Detached garage size - A variance from 27-1008.D requiring a maximum accessory structure of 1,500 square feet to allow 1,654 square feet in a Suburban Neighborhood (N3) zone, on Lots 5 & 6, Glynn Abby Subdivision, an 45,519 square foot parcel of land. The purpose of the variance is to allow a detached garage of 1,654 square feet. Tax ID: A36709 & A36710

RECOMMENDATION

Planning staff has reviewed this application & is recommending conditional approval of Variance 1336 based on the proposed findings of the review criteria.

Recommended Conditions;

1. The variance is for a maximum accessory building footprint of 1,654 square feet and no other variance is intended or implied by this approval.
2. The variance applies to on Lots 5 & 6, Glynn Abbey Subdivision generally located at 2925 Glynn Abby.
3. The proposed building will be located and oriented in substantial conformance with the submitted site plan.
4. The applicant will receive building permit approval within 6 months. will NOT be completed prior primary residential structure. accessory building will be completed within 18 months of approval.
5. Failure to begin or complete actions shall void this variance.
6. These conditions of variance approval shall run with the land described

Questions for staff:

Public Hearing

Chair Noennig opened the public hearing at 6:20 PM and asked if there was anyone wishing to speak in favor or against **City Variance 1336**.

Applicant:

Kyle Huss stated these are two large lots, a small exceedance. It makes sense the owner can build two 1000 square foot garages.

Favor

NONE

Opposed

NONE

Discussion-NONE

At 6:22PM, Chair Noennig closed the Public Hearing and called for a motion.

Motion

Board Member Heinrich made a motion and Board Member Mitchell seconded the motion to approve **City Variance 1336**, with staff recommendations & conditions.

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 1336 passed with a 5-0 vote.

Other Business: NO SEPTEMBER MEETING

ADJOURNMENT: The meeting adjourned at 6:23PM.

ATTEST: APPROVED by a motion December 1, 2021. *Robbin Bartley, Administrative Assistant.*