

**CITY BOARD OF ADJUSTMENT**

**MINUTES: March 4, 2009**

*Approved by motion on April 1, 2009*

**Troy Boucher, Chairman** called the meeting to order at 6:06 p.m. The City Board of Adjustment met in the City Council Chambers.

Name	Title	01/07/09	02/04/09	03/04/09	04/01/09	05/06/09	06/03/09	07/01/09	08/05/09	09/02/09	10/07/09	11/04/09	12/02/09
Jeff Bollman	Boardmember	1	1	1									
Barbara Walborn	Boardmember	1	1	1									
Lyn McKinney	Vice-Chair	1	1	1									
Troy Boucher	Chairman	1	1	1									
Daniel Eggen	Boardmember	1	1	1									
Brent Nelson	Boardmember	A	A	A									
Paul Cox	Boardmember	1	1	1									

TOTAL NUMBER OF APPLICATIONS 2009	01/07/09	02/04/09	03/04/09	04/01/09	05/06/09	06/03/09	07/01/09	08/05/09	09/02/09	10/07/09	11/04/09	12/02/09	TOTAL
Variance	2	1	1										

**Chairman Boucher** asked Nicole Cromwell, Zoning Coordinator to introduce the City Board of Adjustment Members and Planning Department Staff. The following staff was in attendance:

Nicole Cromwell, Planner II/Zoning Coordinator

Dave Green, Planner I

Elizabeth Allen, Planning Clerk

**Public Comment:**

There were none.

**Approval of minutes:**

*On a motion by Boardmember Cox, seconded by Boardmember Eggen and approved with a 6-0-1 voice vote the minutes of February 4, 2009 were approved.*

**PUBLIC HEARINGS:**

**Chairman Boucher** asked Ms. Cromwell to read the determinations for granting a variance as well as review the rules for the procedure by which the public hearings will be conducted.

**Ms. Cromwell** reviewed the procedures by which the meeting is conducted. She read the determinations for granting a variance.

**Public Hearings:**

**Item #1: City Variance #1043 – 130 and 130 ½ Avenue B** - A variance from BMCC 27-308 requiring a minimum lot area of 14,000 square feet for 2 existing single family homes on an undivided parcel to allow a minimum lot area of 7,000 square feet, in a Residential 7,000 (R-70) zone, on a 7,000 square foot lot, Lots 32 & 33, Block 25, North Elevation Subdivision. Tax ID: A11984. Damien Adams, owner.

**Ms. Cromwell** read the legal description and **Dave Green** reviewed the staff report with an overhead PowerPoint presentation for the audience and reviewed the surrounding properties while explaining the existing zoning of the subject property. He said staff is forwarding a recommendation of conditional approval.

**Discussion:**

There was none.

**Applicant:**

**Damian Adams**, 130 Ave B, they would like to refinance the property but require a rebuild letter to do that. Refinancing would allow his family to save \$350-400 per month. **Boardmember Eggen** asked how long he has owned the property. **Damian Adams** stated that he has owned the property since August of 2006. He has done a lot of work on this property since purchasing the property. It used to be one of the worse properties in the neighborhood and now is one of the nicest.

**Proponents:**

There were none.

**Opponents:**

There were none.

*The public hearing closed at 6:16 p.m.*

**Motion:**

***On a motion by Boardmember McKinney, seconded by Boardmember Walborn and approved with a 6-0-1 voice vote Variance #1043 was approved with the following conditions:***

1. Any future rebuilds of the subject structures will need to be done in compliance with the City's adopted zoning code, with the exception of the approved lot size variance in this application. Any future remodel or rebuilds of the subject structures will need to be done in compliance with the City's adopted building code and other City regulations in place at that time of rebuild or remodel.

**Discussion:**

There was none.

**Motion:**

Boardmember	Yes	No	Abstain	Not Present
Jeff Bollman	X			
Barbara Walborn	X			
Lyn McKinney	X			
Troy Boucher	X			
Daniel Eggen	X			
Brent Nelson				X
Paul Cox	X			

**Other Business:**

- The Board discussed that **Boardmember Nelson** had been absent for the previous 3 meetings and there may need to be some action taken because of the 3 consecutive absences.
- The Board discussed the applications for the following meeting.
- **Ms. Cromwell** also announced that Dave Green and Elizabeth Allen are included in the Planning Staff layoffs and this will be their last meeting. The Board discussed the current state of the Planning Division budget and what will happen because of the layoffs and budget deficit.
- **Boardmember Boucher** asked how the change in the bylaws (the Board of Adjustment bylaws are now the same as the City Council) will affect the Board. **Ms. Cromwell** explained the similarities and differences between the old and new bylaws. **Boardmember Walborn** requested a copy of the new bylaws. **Ms. Cromwell** stated that they can be found in the City Code in chapter 2.

**Adjournment:**

*The meeting was adjourned at 6:38 p.m.*

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**Troy Boucher, Chairman**

**ATTEST:**

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**Elizabeth Allen, Planning Clerk**