

CITY BOARD OF ADJUSTMENT

MINUTES: November 3, 2010

Approved as submitted on December 1, 2010

Name	Title	01/06/10	02/03/10	03/03/10	04/07/10	05/05/10	06/02/10	07/07/10	08/04/10	09/01/10	10/06/10	11/03/10	12/01/10
Verne Bass	Boardmember	-	1	1	1	-	-	E	R	R	R	R	
Jeff Bollman	Chairman	-	1	1	1	-	-	1	1	1	1	1	
Paul Cox	Boardmember	-	1	1	1	-	-	1	E	1	1	1	
Daniel Eggen	Vice Chairman	-	1	1	1	-	-	1	1	1	1	1	
Neil Kiner	Boardmember	-	1	1	1	-	-	1	1	1	1	1	
Barbara Walborn	Boardmember	-	1	1	1	-	-	1	E	1	1	1	
Terry Matson	Boardmember	-	-	E	A	-	-	A	R	R	R	R	

TOTAL NUMBER OF APPLICATIONS 2010	01/06/10	02/03/10	03/03/10	04/07/10	05/05/10	06/02/10	07/07/10	08/04/10	09/01/10	10/06/10	11/003/1	TOTAL
Variance	0	2	5	0	0	0	1	0	5	2	1	14

Chairman Bollman called the meeting to order at 6:00 p.m. The City Board of Adjustment met in the City Council Chambers.

Chairman Bollman asked Nicole Cromwell to introduce the City Board of Adjustment Members and Planning Department Staff. Attending Staff members are Nicole Cromwell, Zoning Coordinator; and Tammy Deines, Planning Clerk.

Public Comment:

Chairman Bollman 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. Chairman Bollman closed the public comment period at 6:05 p.m.

Approval of minutes: October 5, 2010

Chairman Bollman called for approval of the October 5, 2010 minutes. Chairman Bollman asked that a correction be made to "**Randy Straus, City Engineer, City of Billings Public Works Department, Billings, Montana** ", to read: "**Randy Straus, Engineer I, City of Billings Public Works Department, Billings, Montana**"

Motion:

On a motion by Boardmember Kiner, and seconded by Boardmember Cox the minutes of October 5, 2010 were approved as corrected with a 5-0 voice vote.

Disclosure of Conflict of Interest

There was no disclosure of conflict of interest.

Disclosure of Outside Communication

Nicole Cromwell explained there are times that applicants communicate directly with Board members and this should be communicated to the Board members in a public forum. She stated that written ex-parte communication to the Board is available to the public in the Ex-Parte Notebook. There was no disclosure of outside communication.

PUBLIC HEARINGS:

Chairman Bollman 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 and the determinations for granting a variance. She pointed out that there are two vacancies on the Board of Adjustment and that opportunities will be given to the applicants if they wish to delay their application.

Public Hearings:

Item #1: City Variance #1080 – 1682 Lake Hills Drive – A variance request from Section 27-310(i) to allow the placement of vertical siding on a detached accessory building greater than 200 square foot in floor area where horizontal siding is required for a proposed new detached accessory building in a Residential 9,600 (R-96) zone on Lot 12, Block 20, Lake Hills Subdivision 4th Filing located at 1682 Lake Hills Drive a 14,400 square foot parcel land. Tax ID A22258. Dennis Boyd, owner.

Ms. Cromwell read the legal description and opened with a PowerPoint presentation which reviewed the request and recommendation below.

REQUEST

The applicant is requesting a variance from Section 27-310(i)9 requiring horizontal exterior siding on detached accessory structures to allow the placement of vertical siding on a proposed new detached accessory structure. The subject property is a 14,400 square foot parcel of land in a Residential 9,600 (R-96) zone on Lot 12, Block 20, Lake Hills Subdivision, 4th Filing. Dennis Boyd is the owner. Staff is recommending conditional approval of the proposed variance.

RECOMMENDATION

Staff recommends **conditional approval** of the proposed variance subject to the following conditions:

- 1. The variance approval is limited to Lot 12, Block 20, Lake Hills Subdivision, 4th Filing.**
- 2. The owner shall obtain a building permit within six (6) months of variance approval and have the work completed within one (1) year of variance approval.**

Ms. Cromwell reviewed the criteria for review and the staff findings for this application.

Chairman Bollman asked the members of the Board for questions or discussion At 6:10 p.m., Chairman Bollman opened the public hearing and called for the applicant's presentation or for proponents of City Variance #1080-1682 Lake Hills Drive.

Dennis Boyd, 1682 Lake Hills Drive, Billings, Montana

Mr. Boyd stated that he is building this structure to be used as a studio for his hobbies. He said that the siding will match the existing siding on his house and that a building permit would be obtained as soon as the variance is approved.

Opponents

Chairman Bollman called for anyone else wishing to speak in favor of City Variance #1080. There was none. Chairman Bollman called for opponents of City Variance #1080. There was none. Chairman Bollman closed the public hearing.

Motion:

A motion was made by Boardmember Walborn and seconded by Boardmember Eggen to conditionally approve City Variance #1080 with the conditions recommended by staff.

Discussion:

Chairman Bollman called for discussion on the motion. There was none. Chairman Bollman called for the roll call vote on the motion.

Boardmember	Yes	No	Abstain	Not Present
Jeff Bollman	1			
Paul Cox	1			
Daniel Eggen	1			
Barbara Walborn	1			
Neil Kiner	1	-	-	-
Vacant	-	-	-	-
Vacant				

City Variance#1080 is conditionally approved 5-0.

Other Business/Announcements:

- A. Announcement: The next City Board of Adjustment will be held on Wednesday, December 1, 2010.

Adjournment: 6:30 p.m.

On a motion by Boardmember Eggen and seconded by Boardmember Cox the meeting was adjourned with a 5-0 voice vote.

Chairman Jeff Bollman

ATTEST:

Tamara L. Deines, Planning Clerk