



## CITY BOARD OF ADJUSTMENT AGENDA

City Council Chambers, 2<sup>nd</sup> Floor of City Hall, 220 N 27<sup>th</sup> Street  
Wednesday, March 2, 2011, at 6:00 p.m.

### NOTICE TO THE PUBLIC

#### **Public Comment:**

There will be a Public Comment Section as noted on the agenda. This is the time members of the public may comment on any item not appearing on the agenda. Under State law, matters presented under this section cannot be discussed or acted upon by the Board of Adjustment during this time. For items appearing on the agenda, the public will be invited to make comments at the appropriate time. It is very important to speak clearly, and state your name and address for the record. Please limit your comments to three (3) minutes or less.

- I. **Call the meeting to order.**
- II. **Introduction of City Board of Adjustment Members and Planning Department Staff.**
- III. **Public Comment:**
- IV. **Approval of Minutes:** Of the meeting of February 2, 2011
- V. **Disclosure of any Conflict of Interest** – Board Members and Planning Staff
- VI. **Disclosure of any Outside (Ex Parte) Communication**– Board Members and Planning Staff  
The Ex Parte Communication Binder is available at the Sign-In and Agenda station
- VII. **Regular Business:**
  - A. Opening of public hearings.
  - B. Reading of rules for the procedure by which the public hearings will be conducted.
  - C. Reading of notices of the public hearings on the following items:

**Item #1: Return Item - City Variance #1085 – 1243 N 31<sup>st</sup> Street - First English Lutheran Church – Day Care** - A variance request from Section 27-604 requiring a maximum fence height in a front yard of 3 feet to allow a maximum fence height of 4 feet in a front yard and from Section 27-615 (c) requiring a fence of 30 inches or less in height in a clear vision area for a driveway to allow a fence height of 4 feet. The purpose of the variance requests is to increase the height of an existing fence to comply with State of Montana licensing requirements for a daycare facility outdoor play space. The property is zoned Residential 7,000 (R-70) and is described as Lots 25-29, and the North ½ of Lot 30, Block 5 North Elevation Subdivision, 1<sup>st</sup> Filing and the vacated 80 feet of Elevation Street, a .73 acre parcel of land. Tax ID: A11574; First English Lutheran Church, owner and Ken Heikes, agent.

**Item #2: City Variance #1086 – 244 & 246 Burlington Avenue** – A variance request from Section 27-308 requiring a minimum lot area of 9,600 for a duplex dwelling to allow a minimum lot area of 4,885 square feet for an existing duplex and a minimum lot area of 2,115 square feet for a remainder lot with a nonconforming use (beauty salon); from Section 27-308 requiring a minimum rear setback of 20 feet to allow a 15-foot setback for an existing duplex; and from Section 27-308 requiring a maximum lot coverage of 30% to allow a maximum lot coverage of 38% for an existing duplex on a new lot of 4,885 square feet in a Residential 7,000 (R-70) zone on Lots 24 & 25, Block 19, West Side Subdivision a 7,000 square foot parcel of land. Tax ID: A18020; Lily M. Smith, owner.

**Item #3: City Variance #1087 – 2319 Alderson Avenue** – A variance request from Section 27-308 requiring a minimum lot area of 10,000 square feet for a 4-plex multifamily dwelling to allow a lot area of 8,400 square feet; from Section 27-308 requiring a maximum lot coverage of 40% to allow a maximum lot coverage of 41%; and from Section 27-308 requiring a minimum side setback of 8 feet for a 2-story structure to allow a 5-foot side setback for an existing 4-plex multifamily dwelling in a Residential 6,000 (R-60) zone on the east 60 feet of Lot 3, Block 1 of Arnold Subdivision Amended Lot 13 a 8,400 square foot parcel of land. The variance, if granted, would allow the owner to re-build the existing structures if damaged in the future. No construction or re-building is planned at this time. Tax ID: A02393; Harold and Yvonne Thomson, owners.

**Item #4: City Variance #1088 – 2208 Alderson Avenue** – A variance request from Section 27-308 requiring a minimum lot area of 17,500 square feet for a 9-plex multifamily dwelling to allow a lot area of 15,729 square feet and from Section 27-310(g) requiring a maximum projection in a side yard of 2 feet to allow a maximum projection of 4 feet for an existing 9-plex multifamily dwelling. A variance request from Section 27-310(i) requiring a minimum side setback of 8 feet for an accessory structure over 18 feet in height to allow a minimum side setback of 5 feet for a proposed addition to an accessory structure in a Residential 6,000 (R-60) zone on Lot 3A, Block 1 Arnold Subdivision 1<sup>st</sup> Filing a 15,729 square foot parcel of land. Tax ID: A02369; Arnold Clark, Susan Bell and Mary Bell, owners; Scott Swanson, Eggart Engineering, Inc., agent

## **VIII. Other Business/Announcements:**

### **IX. Adjournment**

\*Information on the preceding item(s) may be obtained at the Planning & Community Services Department, 4<sup>th</sup> Floor of the Parmly Library, 510 North Broadway or phone 247-8610. Anyone wishing to be heard on this matter may appear at this hearing.