



## CITY BOARD OF ADJUSTMENT AGENDA

City Council Chambers, 2<sup>nd</sup> Floor of City Hall, 220 N 27<sup>th</sup> Street  
Wednesday, April 11, 2012, 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.**
  - A. **Introduction of Boardmember James Olson**
- III. **Public Comment:**
- IV. **Approval of Minutes:** March 6, 2012
- 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 Variance #1115 – 3250 Durland Drive – Rear Setback and Building Height** – A variance from 27-308 requiring a minimum rear setback of 20 feet to allow a 10 foot rear setback and from a maximum building height of 34 feet for a proposed single family dwelling in a Residential 9,600 zone (R-96) on Lot 22, Block 5, Wilshire Heights Subdivision 8<sup>th</sup> Filing an 8,116 square foot parcel. Tax ID: A21577, Steven and Maureen Kienitz, owners. The Board of Adjustment approved this variance in 2009, and the time limit to construct the dwelling has expired.

**Item #2 Variance #1116 – 3612 6<sup>th</sup> Avenue South – Lot Area** – A variance from 27-308 requiring a minimum lot area of 7,000 square feet for an existing duplex to allow a minimum lot area of 3,500 square feet in a Residential 6,000 zone (R-60) on the west half of Lots 11 & 12, Block 21, Southwest Addition a 3,500 square foot parcel. Tax ID: A14119, Evelyn Emerson, owner. 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.

**Item #3 Variance #1117 – 3230 Country Club Circle – Front Setback** – A variance from 27-308 requiring a minimum front setback of 20 feet to allow a 10 foot front setback for a proposed single family dwelling in a Residential 9,600 zone (R-96) on Lots 1A and Lot 2, Block 7, Country Club Heights Subdivision a 20,824 square foot parcel. Tax ID: A05669 and A05670, Brain and Jolane Jones, owners.

**Item #4 Variance #1118 – 2222 Virginia Lane – Lot Area** – A variance from 27-308 requiring a minimum lot area of 19,200 square feet for two single family dwellings to allow a lot area of 15,500 square feet for a planned remodel of an existing accessory building to complete and second dwelling unit in a Residential 9,600 zone (R-96) on Lot 8, Blackacre Subdivision a 15,500 square foot parcel. Tax ID: A03137C, Jamey Eisenbarth and Donald Christiansen, owners.

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 657-8246. Anyone wishing to be heard on this matter may appear at this hearing.

*Public hearings are accessible to individuals with physical disabilities. Special arrangements for participation in the public hearings by individuals with hearing, speech, or vision impairment may be made upon request at least three days prior to the hearing. Please notify Tammy Deines, Planning Clerk, at 247-8610 or e-mail at [deinest@ci.billings.mt.us](mailto:deinest@ci.billings.mt.us)*