



CITY BOARD OF ADJUSTMENT AGENDA

City Council Chambers, 2nd Floor of City Hall, 220 N 27th Street
Thursday, January 3, 2013, 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 and introduction of City Board of Adjustment Members and Planning Department Staff.

II. Public Comment

III. Approval of Minutes: December 5, 2012-(delayed)

IV. Disclosure of any Conflict of Interest or any Outside (Exparté) Communication – Board Members and Planning Staff. The Ex Parte Communication Binder is available at the Sign-In and Agenda station

V. V. 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 #1134 – Land Use Contrary to Zoning – Bitterroot Heights Park – Sewer Lift Station – A public forum to receive comment on the proposed use contrary to zoning of a portion of Bitterroot Heights Park for a new (replacement) sewer lift station in a R-70 and R-70-R zone on the Park Dedication lot of Bitterroot Heights Subdivision 1st Filing a 10.44 acre parcel of land. Tax ID: A33250, City of Billings, owner, Randy Straus, Staff Engineer II, agent.

Item #2: Variance #1135 – 102, 104, 106 and 108 Alderson Avenue – Lot Area for Duplexes – A variance from 27-308 requiring a minimum lot area of 9,600 for two dwelling units to allow a lot area of 7,000 square feet on Lots 43&44 (102/104 Alderson) and 45 & 46 (106/108 Alderson), Block 9 of West Side Addition Subdivision in a R-70 zone, each parcel containing 1 existing duplex and 7,000 square feet. Tax ID: A17820 and A17821, Robert and Mary McKinney, owners and Les Solheim & Kim Edinger, agents.

Item #3: Variance #1136 – An Appeal of an Administrative Decision – Electric Fence at 4432 S Frontage Road – Billings Auto Auction – An Appeal of the Zoning Coordinator’s determination that an electrified security control device meets the definition of a fence as stated in Section 27-201 and is prohibited within the Billings city limits as specified in Section 27-604(g). The property is zoned Planned Development – Entryway General Commercial (PD- EGC), Lot 4 Block 1 of Willowbrook Subdivision, a 21.94 acre parcel of land. Tax ID: A30055, Griffin Automotive Enterprises, owner and Electric Guard Dog, agent.

Information on the preceding item(s) may be obtained at the Planning & Community Services Department, 4th Floor of the Parmly Library, 510 North Broadway, Billings, MT 59101 or phone 657-8246. Anyone wishing to be heard on this matter may appear at this hearing or provide written testimony to Planning Division at the address above.

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