



CITY BOARD OF ADJUSTMENT AGENDA

City Council Chambers, 2nd Floor of City Hall, 220 N 27th Street
Wednesday, February 6, 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: January 3, 2013

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 #1137 – 23 Custer Avenue – A variance from 27-308 requiring a minimum lot area 13,000 square feet for 3 dwelling units (1 duplex and 1 single family) to allow the construction of a new duplex dwelling and the retention of an existing single family dwelling; from 27-308 requiring a minimum rear setback of 20 feet to allow a 1-foot setback for an existing single family dwelling in a Community Commercial (CC) zone, Lots 12 & 13, Block 1, Suburban Subdivision, a 7,000 square foot parcel of land. Tax ID: A15710. Big Sky Exterior Designs, Inc, owner and Travis McDowell, agent.

Item #2: Variance #1138 – 1045 N 25th Street - A variance from 27-308 requiring a minimum lot area of 19,200 square feet to allow a minimum lot area of 7,000 square feet for 2 existing duplex dwellings in a R-70 zone; from 27-308 requiring a maximum lot coverage of 30% (2,100 square feet) to allow a maximum lot coverage of 37% (2,590 square feet); from 27-308 requiring a minimum side adjacent to street setback of 10 feet to allow a minimum 7-foot setback; from 27-308 requiring a minimum rear setback of 20 feet to allow a minimum 3-foot setback; from 27-308 requiring a minimum side setback of 5 feet to allow a minimum 2-foot setback on the North 50 feet of Lot 2, Block 7, Sunnyside Subdivision 2nd Filing a 7,000 square foot parcel of land. Tax ID: A16380. Kelly Gilbertson-Norwood, owner.

Item #3: Variance #1139 – 812 Yellowstone Avenue – A variance from 27-308 requiring a minimum lot area of 9,600 square feet to allow a minimum lot area of 5,250 square feet for an existing duplex (up/down) on Lot 39 & 40, Block 1 Comte Addition and the East ½ , East ½ Block 3, Lot 2 Rickman Subdivision a 7,000 square foot parcel of land. Tax ID: A05466. Fern Stene, owner and Bill Stene, agent.

Item #4: Variance #1140 – 4863 King Avenue East – A variance from 27-1005 requiring a maximum building height of 40 feet to allow a maximum building height of 45 feet in an Entryway General Commercial (EGC) zone for a proposed 3-story hotel on Lot 5A, Block 1 Popelka Commerce Center Subdivision, a 2-acre parcel of land. Tax ID: A31141. Popelka Enterprises, owner and Sanderson Stewart, Pat Davies, P.E. 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