



## 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 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:** March 6, 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 #1142 – 925 Jackson Street – Side Setback** – A variance from 27-308 requiring a minimum side setback of 5 feet to allow a minimum side setback of 3 feet for a new single family dwelling on a 5,055 square foot parcel, in an R-50 zone, Lot 44A, Block 3 King's Green Subdivision 3<sup>rd</sup> Filing. Tax ID: A28900. Real Estate Dynamics, Inc. owner and Tim Hudson, agent.

**Item #2: Variance #1143 – 7 Alderson Avenue – Lot Area** - A variance from 27-308 requiring a minimum lot area of 7,000 square feet to allow a minimum lot area of 3,425 square feet for an existing duplex, in an RMF-R zone, on the South 80 feet of Lot 3 and the South 95 feet and East 15 feet of Lot 4, Block 7, West Side Addition. Tax ID: A17750. JMR Properties LLC, owner and Eggart Engineering, agent.

**Item #3: Variance #1144 – 5435 Rimrock Road – Detached Garage** – A variance from 27-310(i) requiring a maximum detached garage of 1,232 square feet to allow a maximum 1,824 square feet; requiring a maximum side wall height of 8 feet to allow a side wall height of 14 feet for a new detached garage on a 22,782 square foot parcel, in an R-96 zone, Lot 2A, Hart Acreage Tracts Subdivision. Tax ID: C03126. Susan Anderson and Donald Mueller, owners and Eggart Engineering, agent.

**Item #4: Variance #1145 – 215 Miles Avenue – Lot Area** – A variance from 27-308 requiring a minimum lot area of 13,000 square feet to allow a minimum lot area of 7,000 square feet; from 27-308 requiring a minimum rear setback of 15 feet to allow a minimum rear setback of 1 foot for 1 existing single family residence and 1 new 2-family dwelling, in an RMF-R zone, Lots 7-8, Block 10, Suburban Subdivision. Tax ID: A15902. Larry Larsen, owner and Travis MacDowell, agent.

**Item #5: Variance #1146 – 409 and 415 Cook Avenue – Lot Area and setbacks** – A variance from 27-308 requiring a minimum lot area of 17,000 square feet to allow a lot area of 8,750 square feet (415 Cook Ave); from 27-308 requiring a minimum lot area of 6,000 square feet to allow a minimum lot area of 5,250 square feet (409 Cook Ave); from 27-308 requiring a minimum rear setback of 15 feet to allow minimum rear setback of 0 (zero) feet (409 & 415 Cook Ave); from 27-308 requiring a minimum side setback of 8 feet to allow a minimum side setback of 2 feet (415 Cook Ave) for a 1 existing 4-plex, 1 existing duplex (415 Cook Ave) and 1 existing single family dwelling (409 Cook Ave), in an RMF-R and CC zone, the West ½ Lot 7, 8, 9, Block 17 (415 Cook Ave) and the East ½ Lot 7, 6, Block 17 (409 Cook Ave), Yellowstone Addition. Tax IDs: A19163 & A19162. Erich-Emil Gabriel, owner.

**Item #6: Variance #1147 – 713 & 715 Avenue F – Lot Area** - A variance from 27-308 requiring a minimum lot area of 7,000 square feet to allow a minimum lot area of 6,020 square feet for an existing 2-family dwelling, in an R-60 zone, Lot 6, Tract A, C/S 441. Tax ID: A03116. Jason Stene, owner and Bill Stene, agent.

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, 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](mailto:deinest@ci.billings.mt.us)