



CITY BOARD OF ADJUSTMENT AGENDA

**City Council Chambers, 2nd Floor of City Hall, 220 N 27th Street
Wednesday, August 7, 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: July 10, 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 #1158 – 907 N 31st Street - Lot Area – A variance from 27-308 requiring a minimum lot area of 9,600 square feet for 2 existing single family dwellings to allow a lot area of 7,000 square feet in an R-70 zone on Lots 45 and 46, Block 8, North Elevation Subdivision, 1st Filing. Tax ID: A11651. Shauna Kerr Cumin, owner.

Item #2: Variance #1159 – Wyoming Ave and 10th St West – 4-plex Dwellings – A variance from 27-308 requiring a minimum lot area of 30,000 square feet for three 4-plex dwellings to allow a lot area of 27,950 square feet for the construction of three 4-plex dwellings in an R-60 zone on Lots 16-18, Block 2, Broadacre Subdivision. The applicant has submitted a concurrent special review request to the City Council. Tax IDs: A03227, A03228, A03229, Bonini Enterprises, LLC is the owner and Eggart Engineering Company, is the agent.

Item #3: Variance #1160 – 17th Street West and Avenue D – Arterial setback - A variance from 27-602 requiring a minimum setback of 60 feet to the centerline of 17th Street West to allow a 55-foot setback to the centerline in a CC zone on Lot 2A-3, Partington Park Subdivision, 5th Filing, a 3.83 acre parcel of land. The applicant is proposing to construct a 96-unit apartment complex. Tax IDs: A12623, A12621. West Park Shopping Center, LLC, owner and Sanderson Stewart, agent.

VI. Other Business/Announcements

- 1. Letter to the City Zoning Commission regarding allowable building heights in commercial zones.**

VII. Adjournment

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