



## CITY BOARD OF ADJUSTMENT AGENDA

**1st Floor Conference Room, 2825 3rd Avenue North  
Wednesday, September 4, 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, August 7, 2013-Delayed.

**IV. Disclosure of any Conflict of Interest or any Outside (Exparte) 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 #1161 – 604/606 N 23<sup>rd</sup> Street – Lot Area** - A variance from 27-308 requiring a minimum lot area of 7,000 square feet for an existing 2-family dwelling to allow a lot area of 5,250 square feet in a R-60 zone on Lots 2 and 3, Block 271 Billings First Addition, North ½ of Lot 2, a 5,250 square foot parcel of land. The applicant is not proposing any construction but the variance will ensure the ability to re-construct a 2-family dwelling if necessary in the future. Tax ID: A01982. David Oberly and Karen Ehresman, owners

**Item #2: Variance #1162 – 2304 Spruce Street – Setback** - A variance from 27-308 requiring a minimum rear setback of 20 feet to allow a minimum rear setback of 0 (zero) feet for the construction of a 575 square foot garage addition to an existing home in a R-96 zone on Lots 1 and 2, Block 17, Grandview Subdivision, a 12,000 square foot parcel of land. Tax ID: A08315. Matthew and Kate Hamlin, owners.

**Item #3: Variance #1163 – 641 Burlington Avenue – 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 a R-70 zone on Lots 20 and 21, Block 48, Suburban Homes Addition. The applicant is not proposing any construction but the variance will ensure the ability to re-construct one or both single

family dwellings if necessary in the future. Tax ID: A15498. Don and Terri Summers, owners  
**Item #4: Variance #1164 – 3205 Green Terrace Drive – Setback** - A variance from 27-308 requiring a minimum front setback of 20 feet for a proposed garage addition to allow a 10 foot front setback in a R-96 zone on Lot 22, Block 7 Country Club Heights Subdivision, a 18,034 square foot parcel of land. Tax ID: A05685. Klay Spearman, owner and Travis McDowell, 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, 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)