

MINUTES OF THE MEETING
OF THE
GREAT FALLS BOARD OF ADJUSTMENT/APPEALS
June 2, 2022

CALL TO ORDER

The meeting of the Great Falls Board of Adjustment/Appeals was called to order by Chair Joe McMillen at 3:00 p.m.

ROLL CALL & ATTENDANCE

Great Falls Board of Adjustment/Appeals members present:

Mr. Joe McMillen, Chair
Ms. Krista Smith, Vice Chair
Ms. Antoinette Collins
Ms. Aspen Northerner
Ms. Christian Stone

Great Falls Board of Adjustment/Appeals members absent:

None

Planning Staff members present:

Mr. Thomas Micuda, Deputy Director Planning & Community Development
Ms. Alaina Mattimiro, Planner II
Ms. Jamie Nygard, Sr. Admin Assistant
Ms. Cindy Sikes, Permit Technician

Others present:

Mr. Jeff Hindoien, City Attorney

Mr. Micuda affirmed a quorum of the Board was present.

MINUTES

Chair McMillen asked if there was a motion to approve the meeting minutes as stated for April 21, 2022. Ms. Smith moved to approve the minutes, seconded by Ms. Stone. All in favor, the minutes were approved.

CONFLICT DISCLOSURE/EX PARTE COMMUNICATIONS

None.

BOARD ACTIONS REQUIRING PUBLIC HEARING

1301 20th Street South – Variance to Section 4.2.060 of the Official Code of the City of Great Falls (OCCGF) to allow for additional height allowance for a telecommunication facility

Ms. Mattimiro presented to the Board. She stated that the Applicant, AT&T Mobility, is requesting the variance to allow a telecommunications tower an additional 50 feet of height, at 1301 20th Street South. The property is owned by the University of Providence and is 42.41 acres and zoned PLI Public Lands and Institutional.

Ms. Mattimiro presented an Aerial Map, Zoning Map, Site Photo and Preliminary Site Plan.

Ms. Mattimiro stated that the proposal is for the construction of a new “Monopine” which is a telecommunications tower disguised as a pine tree. Telecommunications towers are permitted in the PLI District, but have a height restriction of 45 feet. The applicant is requesting relief from the maximum height allowance within the PLI zoning district and is requesting an additional 50 feet allowance.

Ms. Mattimiro stated that telecommunications height restrictions are in place to ensure that towers blend in with their surrounding environment and that they are designed as an “architecturally compatible accessory element”.

Ms. Mattimiro presented the Findings for the Basis of Decision: The basis for decision for a variance request is listed in §17.16.32.040 of the Land Development Code.

The decision of the Board of Adjustment shall consider the three Basis of Decision criteria.

1. The variance is not contrary to the public interest.
 - The telecommunications tower, as proposed, will blend into the surrounding area and provide a service that is needed within the area.
2. A literal enforcement would result in unnecessary hardship, owing to conditions unique to the property.
 - Because of the allowance for a primary building to be 100 feet in the zoning district, the literal enforcement would be restrictive in the instance.
3. The spirit of the Title would be observed and substantial justice done by granting the variance.
 - If granted, the additional height allowance would create an opportunity for additional wireless coverage and capabilities for the area and other than the height allowance, the project would be consistent with the zoning district requirements.

Ms. Mattimiro presented a photo of the current view and the proposed view with the telecommunications tower added.

PETITIONER'S PRESENTATION

Janelle Humphrey, Smartlink Group with A T & T, was available via Skype to answer any questions.

BOARD QUESTIONS

Ms. Northerner asked what the average height of the existing trees on the site were. Ms. Humphrey responded that she did not have the exact measurements, but believes they are around 100 feet. Mr. Micuda responded that he believed the average height was around 75 feet.

PUBLIC QUESTIONS

None.

PROPONENTS

None.

OPPONENTS

None.

BOARD DISCUSSION AND ACTION

MOTION: That the Board of Adjustment, based on the Findings for the Basis of Decision approve the variance request from OCCGF Title 4, Chapter 2, 060 B(5), *telecommunications facilities* – location, subject to the conditions of approval

MADE BY: Ms. Smith
SECOND BY: Ms. Collins

VOTE: All in favor, the motion passed 5-0

COMMUNICATIONS

Mr. Micuda stated that there will be a July 7, 2022 meeting, for a fence height variance request as well as one or two variances that may be submitted.

PUBLIC COMMENT

None.

ADJOURNMENT

There being no further business, Chair McMillen adjourned the meeting at 3:11 p.m.