

MINUTES OF THE MEETING
OF THE
GREAT FALLS BOARD OF ADJUSTMENT
October 3, 2013

CALL TO ORDER

The meeting of the Great Falls Board of Adjustment was called to order by Chairman Chris Ward at 3:02 p.m. in the Commission Chambers of the Civic Center.

ROLL CALL & ATTENDANCE

Great Falls Board of Adjustment Members present:

Mr. Chris Ward, Chair
Mr. Jeffrey Foster, Vice Chair
Ms. Kim Martin
Mr. Dale Nelson

Great Falls Board of Adjustment Members absent:

Mr. Tim Peterson

Planning Staff Members present:

Mr. Craig Raymond, Director Planning & Community Development
Ms. Galen Amy, Planner II
Ms. Phyllis Tryon, Sr. Administrative Assistant

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

MINUTES

Chair Ward asked if there were any changes to the minutes of the September 5, 2013 meeting of the Board of Adjustment. Ms. Martin moved to approve the minutes of the meeting and Mr. Peterson seconded. All being in favor, the motion passed.

Action Minutes of the Board of Adjustment/Appeals. Please refer to the audio/video recording of this meeting for additional detail.

OLD BUSINESS

There was no old business.

NEW BUSINESS

**BOA2013-07, 325 16th Street Southwest
Variance: Side Yard Setback**

Galen Amy, Planner II, reviewed the staff report for the request from applicant/owner Colleen and Joe LeLievre for a variance to increase the permitted maximum garage area in order to build an attached and detached garage space. Ms. Amy entered the staff report into the record. The subject property is located at 325 16th Street Southwest and is zoned R-1 Single-family suburban district. The applicants are proposing to build a 38' x 24' attached garage and a 30' x 40' detached garage on the ±0.68 acre property. They are requesting a variance allowing 512 square feet to be added to the permitted garage area limitation of 1,600 square feet in order to construct private garage space totaling 2,112 square feet.

Ms. Amy said that it is not uncommon for properties in the area to have large garages and shops. The applicants are working to clean up the property, and the proposed garages will help keep the property orderly.

Notice of this Public Hearing was mailed to neighboring property owners and published in the *Great Falls Tribune* on September 18, 2013. Patty Cadwell, Neighborhood Council Coordinator, provided information to Neighborhood Council #2 on September 16, 2013. Staff has not received any comments from the public related to this request.

Ms. Amy reviewed the two Conditions of Approval as listed in the staff report and offered to answer any questions from the Board.

Chair Ward asked what might have been the intent of the spirit of City Code for such a drastic limitation on garage space on a lot this size when a person could build a 10,000 square foot home on the same lot? Ms. Amy explained that one reason to limit garage size is to limit the temptation for people to run businesses out of their garages, such as construction and large equipment businesses, which could pose a large impact on neighborhoods. Mr. Raymond added that keeping the appearance of residential neighborhoods as opposed to commercial districts was probably also a factor.

Mr. Foster asked if the condition unique to the subject property for this variance request was that the property is large. Ms. Amy said that fact, plus the fact that surrounding property uses are similar to this request, can be unique conditions.

PETITIONER'S PRESENTATION

The petitioner did not wish to make a presentation.

PROPOSERS OPPORTUNITY TO SPEAK

There were no proponents.

OPPOSERS OPPORTUNITY TO SPEAK

There were no opponents.

PETITIONER'S CLOSING

Joe LeLievre, 2127 1st Avenue Southwest, said they want to keep their property cleaned up and their personal property secure. He said they are planning to install an irrigation system.

PUBLIC COMMENT

There was no public comment.

BOARD DISCUSSION AND ACTION

Mr. Foster said he had no problem granting these types of variances. He said the lot is big and can support a larger garage, and since there are other garages approved by variance in the neighborhood, it seems the right thing to do to approve this one.

MOTION: That the Board of Adjustment, based on the Findings for the Basis of Decision, approve a variance on the property legally described as Lot 1B, Block 10, Community Hall Addition, for an increase to the maximum garage area permitted by 512 feet, for the construction of an attached garage and detached garage totaling 2,112 square feet combined, subject to conditions 1 and 2.

Conditions of Approval:

1. The proposed project shall be developed consistent with the conditions in this agenda report, all codes and ordinances of the City of Great Falls, the State of Montana, and all other applicable regulatory agencies.
2. If after the approval of the conceptual development plan by this Board, the owner proposes to expand or modify said plan, the Director of the Planning and Community Development Department shall determine in writing if such proposed change would alter the concept for one or more review criteria. If such proposed change would alter said plan, the proposal shall be resubmitted for review as a new application.

Made by: Ms. Martin
Second: Mr. Foster

VOTE: All being in favor, the motion passed.

PUBLIC COMMENT

Colleen LaLievre, 2127 1st Avenue Southwest, said the Board and staff are doing a great job.

COMMUNICATIONS

Chair Ward welcomed Dale Nelson to the Board, having recently been appointed by the City Commission.

ADJOURNMENT

There being no further business, Chair Ward adjourned the meeting at 3:22 p.m.