

BOARD OF ADJUSTMENT

FEBRUARY 11, 2016

1411 10TH AVENUE SOUTH

Case Number

BOA2016-3

Applicant/Owner

New Inns Limited Partnership

Property Location

On the north side of 10th Ave S, between 14th St S and 15th St S

Requested Action

Table the Public Hearing on the variance request for a reduced rear yard setback.

Neighborhood Council

Neighborhood Council #9

Recommendation

Table the Public Hearing until March 3, 2016.

Project Planner

Galen A. Steffens

Overview

The applicant is requesting a dimensional variance of City Code §17.20.4 Exhibit 20-4, minimum rear yard setback. The Code requires a rear yard setback of 1/10 the lot depth, but not less than 1/10 the building height in the C-2 zoning district. The property is ±320 feet in depth, so the required rear yard setback would be ±32 feet. The applicant is requesting consideration for a 15 foot rear yard setback in order to redevelop the property and construct a new Town Pump convenience store with attached Casino, type I, and associated fuel island. The subject property is legally described as Lots 1-14, Block 780, Great Falls Sixteenth Addition, located in Section 7, Township 20 North, Range 4 East, P.M.M. Cascade County, Montana.

Upon further analysis of the subject property, it was discovered that 10th Alley South was conditionally vacated in 1963 for motel purposes only, so the applicant is going through the public hearing process before the City Commission in order to request vacating said alleyway regardless of land use. Thus, the applicant has requested the Board of Adjustment variance public hearing be tabled until after City Commission has taken final action upon the vacation of 10th Alley South, as it is critical to the full redevelopment of the site.

The legal ad for the February 11, 2016, public hearing ran for this variance request in the *Great Falls Tribune* on Sunday, January 24, 2016. Because the request is to table the public hearing to a date certain, the applicant will not be required to publish notice again.

Suggested Recommendation

I move that the Board of Adjustment table the public hearing, related to a variance request for the required rear yard setback for the property addressed as 1411 10th Avenue South and legally described above, to March 3, 2016.

Next Step

If the above action is approved, the Board of Adjustment Public Hearing will take place on Thursday, March 3, 2016.

Cc: Jim Rearden, Public Works Director
Dave Dobbs, City Engineer
Patty Cadwell, Neighborhood Council Coordinator
Dan Sampson, New Inns Limited Partnership, dans@townpump.com
Joe Murphy, Big Sky Civil & Environmental, Inc., jmurphy@bigskyce.com

EXHIBIT A - APPLICATION

CITY OF GREAT FALLS
 PLANNING & COMMUNITY DEVELOPMENT DEPT.
 P.O. BOX 5021, GREAT FALLS, MT, 59403-5021
 406.455.8431 • WWW.GREATFALLSMT.NET

VARIANCE APPLICATION

Date:

Application Number:

\$1,250 Application Fee ☐Public Hearing Notice ☐Paid (Official Use ONLY): ☐

CONDITION FOR VARIANCE

Montana Statutes require an *unnecessary hardship* as a condition for a variance. "Variance" means a grant of relief from the strict application of a rule or regulation that would permit development in a manner otherwise prohibited.

New Inns Limited Partnership (Attn: Dan Sampson)

Owner / Representative Name:

P.O. Box 6000 Butte, MT 59702

Mailing Address:

406-497-6860

DanS@townpump.com

Phone:

Email:

Requested Action: A variance from Title: 17

Chapter: 20

Article: 4

We hereby request a variance from the "Minimum rear yard setback of principal and accessory buildings"

Development standard for C-2 zoning is defined as 1/10 of lot depth but not less than 1/10 of building height

Basis for Request:

Because the lots have been aggregated on the subject parcel, the lot depth is 320 feet in depth. Virtually all other commercial lots along the 10th Ave corridor are 150 feet in depth and are therefore held to a 15-ft setback, making the 32-ft setback unusually strict and inconsistent with most other properties in the area.

PROPERTY DESCRIPTION LOCATION:

Block 780

Great Falls Sixteenth Addition

S07

T20N

R04E

Mark/Lot/Block:

Addition:

Section:

Township:

Range:

1411 10th Avenue South

Street Address:

ZONING:

C-2

LAND USE:

Hotel w/ Casino

Current:

Current:

I (We) the undersigned understand that the filing fee accompanying this application is not refundable. I (We) further understand that the fee pays for the cost of processing, and the fee does not constitute a payment for approval of the application. I (We) further understand that public hearing notice requirements and associated costs for land development projects are my (our) responsibility. I (We) further understand that other fees may be applicable per City Ordinances. I (We) also attest that the above information is true and correct to the best of my (our) knowledge. NOTE: If the applicant is not the owner of record, the signature of the owner of record must also be obtained.

Property Owner's Signature:

Representative's Signature:

Date:

Date:

EXHIBIT B - PROJECT LOCATION/AERIAL MAP



- Tracts of Land
- 1411 10th Ave S



Townhouse Inn redevelopment