

25 be installing special LED lighting. There will be four (4) large lights that that will cover the
26 front parking lot. In addition, we will be installing two (2) additional lights that will light the
27 pathway. We will use CTEP funds for these two lights. The special LED lights shine downward
28 and will not create light pollution.

29
30 Member Yang asked if he had a set of plans that the board could review. He did not.

31
32 Chair Smith appreciates the update from Mr. Pigman.

33 Member Yang requested a schematic or plans showing the light plan that the Fair Board
34 currently has in place for the lights.

35
36 Mr. Pigman stated they are trying to keep a historic look. Mr. Pigman stated he will submit the
37 center light specs and the specs for the CTAP lighting plan. He noted that people will still be
38 able to drive between the light posts. All lighting will be LED with solar panels on top.

39
40 NEW BUSINESS: Conditional Use Permit Request CUP 2015-05
41 Linda Dworak for Dau Dang
42 126 Main Street
43

44 Ms. Dworak represented the property owner, Dau Dang. Ms. Dworak submitted her request to
45 open a ministry on the first block of Main Street. She explained they would like to use the space
46 as a gathering place for people of all faiths to meet, socialize and study. Ms. Dworak stated it
47 will be non-profit. This is meant to be a place for people to come and receive support and study.
48 There would be a small book store and library. The place in Missoula will provide bibles and
49 gifts. The goal is to support other businesses not to compete.

50
51 Member Ernst asked if there would be potential for other uses such as a shelter. Ms. Dworak
52 stated no, it would mostly be used during the evening. The idea is that there are so many people
53 in need or folks who just need support. Trained volunteers would be on-site and available to the
54 public.

55
56 Member Ernst asked what is directly upstairs. Ms. Dworak stated there are three apartments
57 upstairs.

58
59 Member Yang asked if there was as an independent entry from both Main Street and the alley.
60 Ms. Dworak replied yes. There is a large room, a new handicap bathroom and another bathroom
61 on site.

62
63 Chair Smith confirmed that no comments for or against this request had been received.

64
65 Ms. Dworak doesn't expect any parking issues.

66
67 Mr. Hansen explained to Ms. Dworak that she would need to abide by the parking regulation.

68
69 Member Yang stated Ms. Dworak mentioned food service and asked if it would require a
70 sanitarian review.

71 Ms. Dworak stated only packaged foods and coffee would be available.

72
73 Member Yang noted she will need a city business license. It's not only a license it has
74 emergency contact information in case of an emergency.

75
76 Ms. Dworak asked about the Hamilton Downtown Business Association and how it works.
77 Member Yang explained their purpose. The organization has a membership fee but you do not
78 have to join.

79
80 Member Ernst stated it could be beneficial but is not necessary.

81
82 Member Yang mentioned the staff recommendation from Mr. Hansen that stated if the use
83 changes the conditional use permit will end at that time.

84
85 Mr. Hansen mentioned Mr. Stranger wanted him to note that according to the Hamilton
86 Downtown Business plan the first three blocks should remain retail. As of now that is just a
87 suggestion.

88
89 Member Yang noted people would be coming and going as in a retail business so there doesn't
90 seem to be a conflict.

91
92 Public Comments: None

93
94 **Travis Martinez moved to approve CUP 2015-05 with the condition that this conditional**
95 **use permit will end when the use changes from a ministry.**

96
97 **Seconded by Vivian Yang**

98
99 **John Trangmoe, aye**

100 **Vivian Yang, aye**

101 **Darwin Ernst, aye**

102 **Travis Martinez, aye**

103 **Sue Smith, abstain**

104

105 **Motion carried**

106

107 NEW BUSINESS: Conditional Use Permit Request CUP 2015-06
108 Habitat for Humanity for Susanne and Howard Case,
109 Trustees of the Case Family Trust
110 505 North 6th Street

111

112 Public Comment: None

113

114 Mike Kibler presented for the Case Family Trust. Mr. Kibler stated Habitat for Humanity would
115 like to purchase this property and has requested a conditional use permit to divide the three (3)
116 properties into two (2) 6300 square foot lots to be able to build a house on each lot. That is

117 Habitat for Humanity's intent. He noted that their houses are nice, new, energy efficient homes.
118 We could certainly meet or exceed all required setbacks. If approved we will demolish the
119 burned out house and begin building in the summer.

120
121 Member Ernst asked about the status of title and re-possession.

122
123 Mr. Coleman explained the property was sold to the Foss family 1/16/2015 under a notice of
124 purchaser's interest, payments were escrowed, the property burned the Foss Family received the
125 insurance proceeds were not enough to rebuild the house, they fell behind on their payments and
126 the Case Family Trust foreclosed on the property. It is fee simple with no mortgage and has a
127 clear title.

128
129 Chair Smith stated for the record no letters had been received for or against this request.

130
131 Dan Branborg has a house across the street. He approves this request and stated it's a great idea
132 and positive thing in all ways.

133
134 Mr. Kibler stated the challenge is that the size of the home is determined by need such as family
135 size. Family's want single family homes. We prefer to build single family structures. Mr.
136 Kibler referred to the drawings provided to the board and stated the side yards could certainly be
137 bigger setbacks so they don't feel so close to their neighbor.

138
139 Member Yang noted it seems important that the houses be similar than those in the area. Mr.
140 Kibler replied we want to conform to neighborhood.

141
142 Chair Smith asked if these homes would have solar panels. Mr. Kibler stated only if grants are
143 available.

144
145 Member Trangmoe asked if the plan included a garage. Mr. Kibler stated no and asked Mr.
146 Hansen if one could be added at a later date by the homeowner.

147
148 Mr. Hansen stated yes, they have plenty of room to meet setbacks

149
150 Julie Fryberger owns the house north of this property. She stated she loves the work that Habitat
151 does. She asked if the fence would be located on the property line because it would affect the
152 setbacks. Mr. Hansen explained they are aggregating the lots so they are required to resurvey.

153
154 Member Ernst once the property corners are identified the fence can stay or go back up. The
155 fence belongs to the 505 property. She would like the fence to stay.

156
157 Member Yang noted the setbacks are measured by the property line not the fence

158
159 Member Martinez to Mr. Kibler, do you usually build fences on these properties. Mr. Kibler
160 replied typically we do not allow a discretionary fund for this of their choice. He stated there
161 would be some nice salvageable chain link fence on this project.

162

163 Ms. Fryberger asked if the large tree would have to be removed. She wants to know if both
164 houses can use it. Mr. Kibler stated the well is behind the house and that has not been decided.

165

166 Mr. Coleman confirmed she is on the south side not the north.

167

168 Mr. Hansen stated any motion should include seven hundred (700) square feet short and that the
169 front setbacks are five (5) feet short and will be forty-five (45) square feet of frontage instead of
170 fifty (50).

171

172 **Darwin Ernst moved to approve Conditional Use Permit Request CUP 2015-06 with the**
173 **following conditions:**

174

175 **1. The lots will be seven hundred (700) square feet short of the required seven**
176 **thousand (7000) square feet and the front setbacks will be forty five (45) square feet**
177 **instead of fifty (50).**

178

2. Title verification is required.

179 **2nd by Travis Martinez**

180 **All voted aye**

181 **Motion carried**

182

183 OLD BUSINESS: None

184

185 For the record the board accepts the resignation submitted by board member Chris Cluff
186 effective November 6, 2015

187

188 For the record the board accepts the resignation submitted by board member Travis Martinez
189 effective December 31, 2015. The board congratulated him on his city council position.

190

191 ELECTION OF ZONING BOARD OF ADJUSTMENT CHAIRMAN AND VICE
192 CHAIRMAN:

193

194 **NOMINATIONS FROM THE FLOOR:**

195

196 Member Ernst nominated Vivian Yang

197 Member Smith nominated Darwin Ernst

198

199 1st goes to chairman 2nd to vice chairman

200

201 Poll members to vote:

202

203 Vivian Yang voted for Darwin Ernst

204 John Trangmoe voted for Darwin Ernst


205 Travis Martinez voted for Vivian Yang

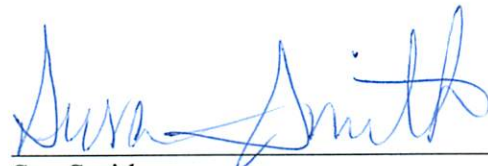
206 Darwin Ernst voted for Vivian Yang

207 Sue Smith flipped a coin for the tie breaker and her vote went to Darwin Ernst

208

209 New Chairman will be Darwin Ernst
210 New Vice Chairman will be Vivian Yang
211
212 Referrals from the board to Mayor Steele for consideration:
213
214 Donna Larson Shulund
215 Julie Fryberger
216 Robert Nicholls, N 5th street
217 Hans Boer, vet clinic on south 93
218
219 Meeting adjourned at 6:45 pm
220
221
222
223

224 
225 _____
226 Kim Charlton
227 Secretary



Sue Smith
Chairman