



# City of Hamilton Public Works

920 New York Ave  
Hamilton, Montana 59840

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## MINUTES OF THE CITY OF HAMILTON ZONING BOARD OF ADJUSTMENT MEETING January 22, 2018

### TOPICS FOR DISCUSSION:

- A. **CUP#2017-06; 310 Old Corvallis Road;** Lot E-1 Ravalli County Council on Aging applying to build an assisted living facility in a Professional Services (PS) District.
- B. **VAR#2017-04; 310 Old Corvallis Road;** Lot E-1 Ravalli County Council on Aging applying for a 5 foot encroachment of the 20 foot rear set-back.
- C. **CUP#2017-08; 816 New York Ave;** Criddle Properties applying to build an assisted living facility in a Professional Services (PS) District.

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1 The following members were present: John Trangmoe, Darwin Ernst, Sue Smith, and Vivian  
2 Yang. Members absent: Donna Larson Shulund, Clayton Dethlefsen and Drew Blankenbaker

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4 Staff Present: Land Hansen, Zoning Administrator and Tamara Rupp, City of Hamilton  
5 Secretary

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7 Chair Darwin Ernst opened the Zoning Board of Adjustment meeting at 5:30 p.m.

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9 GENERAL PUBLIC COMMENTS:

10 Newly elected Mayor Farrenkopf was introduced.

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12 NEW BUSINESS:

13 A. Election of Zoning Board of Adjustment Chairman and Vice Chairman

14 Vivian Yang nominated Darwin Ernst for Chairman, seconded by Sue Smith. Vivian Yang  
15 nominated herself for Vice Chair, seconded by Sue Smith.

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17 Vote by roll call. Motion carried.

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19 Vivian Yang, aye

20 John Trangmoe, aye

21 Sue Smith, aye

22 Darwin Ernst, aye

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25 **Conditional Use Permits:**

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**B. CUP#2017-06; 310 Old Corvallis Road; Lot E-1 Ravalli County Council on Aging applying to build assisted living and memory care facilities in a Professional Services (PS) District.**

Chairman Ernst opened the public hearing at 5:34 p.m. to hear CUP#2017-06; 310 Old Corvallis Road; Lot E-1 Ravalli County Council on Aging applying to build assisted living and memory care facilities in a Professional Services (PS) District.

Staff Comments:

Council on Aging is proposing to build a Memory Care and Assisted Living facilities on Lot E-1 which was recently rezoned to Professional Services (PS) District. A conditional use permit is required in a PS District for the proposed facilities. Staff recommends the approval of the application.

Application Presentation:

Paul Travitz from Council on Aging stated the two proposed buildings complement each other. Parking issues were discussed. There is off-street parking by the existing kitchen for visitors. The parking lot and access has been approved by all the appropriate entities.

Public Comments:

None.

Chairman Ernst closed the public hearing at 5:57 pm.

Board Comments

Sue Smith moved to approve CUP#2017-06; 310 Old Corvallis Road; Lot E-1 Ravalli County Council on Aging to build an assisted living and memory care facilities in a Professional Services (PS) District and to have met all the requirements of section Hamilton Municipal Code 17.24.040 and all ZBA criteria as listed on the Staff report. Seconded by Vivian Yang.

Vote by roll call. Motion carried.

Vivian Yang,            aye  
John Trangmoe,        aye  
Sue Smith,             aye  
Darwin Ernst,         aye

**C. VAR#2017-04; 310 Old Corvallis Road; Lot E-1 Ravalli County Council on Aging applying for a 5 foot encroachment of the 20 foot rear set-back of the proposed memory care building.**

Chairman Ernst opened the public hearing at 6:05 p.m. to hear VAR#2017-04; 310 Old Corvallis Road; Lot E-1 Ravalli County Council on Aging applying for a 5 foot encroachment of the 20 foot rear set-back for the proposed memory care building on Lot E-1.

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71 Staff Comments:

72 None.

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74 Application Presentation:

75 None.

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77 Public Comments:

78 None.

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80 Chairman Ernst closed the public hearing at 6:06 pm.

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82 Board Comments

83 Vivian Yang moved to approve VAR#2017-04; 310 Old Corvallis Road; Lot E-1 Ravalli County  
84 Council on Aging 5 foot encroachment of the 20 foot rear set-back as in accordance with  
85 Hamilton Municipal code 17.24.050. Seconded by John Trangmoe.

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87 Vote by roll call. Motion carried.

88 John Trangmoe, aye

89 Sue Smith, aye

90 Darwin Ernst, aye

91 Vivian Yang, aye

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93 D. CUP#2017-08; 816 New York Ave; Criddle Properties applying to build a memory  
94 care facility in a Professional Services (PS) District.

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96 Chairman Ernst opened the public hearing at 6:09 pm. to hear CUP#2017-08; 816 New York  
97 Ave; Criddle Properties applying to build a memory care facility in a Professional Services (PS)  
98 District.

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100 Staff Comments:

101 Mr. Hansen informed the Board that the applicant is requesting to build a memory care facility  
102 which requires conditional use permit. Staff recommendation is to approve this request. The  
103 building was approved to start construction before approval from the ZBA as the applicant would  
104 have used the building an assisted living facility if not approved for a memory care facility. The  
105 whole building is sprinkled.

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107 Application Presentation:

108 None.

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110 Public Comments:

111 None.

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113 Chairman Ernst closed the public hearing at 6:13 p.m.

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118 Board Comments  
119 Board asked how many units there will be in the building, which are 16 units as anything over 16  
120 puts it into an I occupancy. Parking requirements are being met. Memory care is a higher level of  
121 care which requires more of safety procedures in place.

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123 John Trangmoe moved to approve CUP#2017-08; 816 New York Ave; Criddle Properties to  
124 build any of the conditional use structures, including a memory care living facility, allowed in a  
125 Professional Services (PS) District; and to have met all the requirements of section Hamilton  
126 Municipal Code 17.24.040 and all ZBA criteria as listed on the Staff report. Seconded by Vivian  
127 Yang.

128  
129 Vote by roll call. Motion carried.

130 John Trangmoe, aye  
131 Sue Smith, aye  
132 Darwin Ernst, aye  
133 Vivian Yang, aye

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135 OLD BUSINESS:

136 Bylaws:

137 Concerns/clarification of the bylaws from the October 23, 2017 meeting was addressed:

138 5.3.2F- Recordings are stored on the Secretary's computer that is backed up on the City's sever.  
139 The word "will" in the third sentence has been changed to "may" to account for anytime there is  
140 a malfunction of the recorder or if a meeting was not recorded. It was the Board's decision that  
141 written form of minutes will be the designated official record of the meeting.

142 6.8- The word concurring will be added in front of majority in the last sentence. An applicant is  
143 allowed to ask for a continuance of a meeting without cause. The Board has the authority to grant  
144 or deny the request; if you have a quorum, you conduct business, if an applicant requests a  
145 continuance, the Board can vote to have a continuance.

146 6.9C-The word "existing" will be added before the word "agenda".

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148 Members inquired about Board terms and suggested having them appointed in January and/or  
149 July, with maybe two members expiring one year, two another expire the next and three yet  
150 another year after that. A list of member terms will be sent and reviewed at the next meeting.

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152 Attorney Karen Mahar will make the requested changes; finalizing of the by-laws will be  
153 postponed until a decision on member terms has been made.

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155 Board Comments:

156 None.

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158 MINUTES: October 23, 2017

159 Sue Smith moved to approve the October 23, 2017 minutes as written. Seconded by  
160 Vivian Yang. Vote by roll call. All voted aye. Motion carried.

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163 Board Discussion:  
164 The board discussed the conditional use permits being moved to the City Council with Mayor  
165 Farrenkopf. They explained the amount of time put into each application request and it was felt  
166 the applicants would be better served being heard by the Zoning Board of Adjustments. Mayor  
167 Farrenkopf was impressed with Board and at this point, agrees with keeping conditional use  
168 permits to be reviewed by the ZBA Board.

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170 Open Discussion

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172 Vivian Yang moved to adjourn. Seconded by Sue Smith. Motion carried unanimously.

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174 Meeting adjourned at 7:01 pm.

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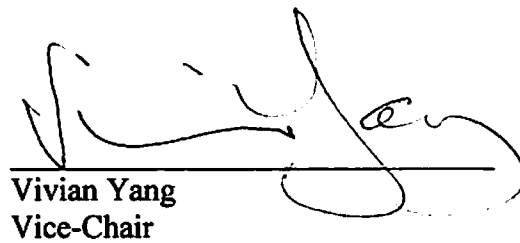
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Tamara Rupp  
Secretary

  
Vivian Yang  
Vice-Chair