



City of Hamilton Public Works

920 New York Ave
Hamilton, Montana 59840

MINUTES OF THE CITY OF HAMILTON ZONING BOARD OF ADJUSTMENT MEETING March 26, 2018

TOPICS FOR DISCUSSION:

- A. **CUP#2018-01; 910 W Main Street;** City of Hamilton applying to use existing building as the City's new Justice Center in a Public & Institutional (PI) District.
 - B. **CUP#2018-02; 910 W Main Street;** City of Hamilton applying to build a public restroom at Claudia Driscoll Park in a Public & Institutional (PI) District.
-

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

4

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

7

8 Vice-Chair Vivian Yang opened the Zoning Board of Adjustment meeting at 5:30 p.m.

9

10 GENERAL PUBLIC COMMENTS:

11 None.

12

13 NEW BUSINESS:

14 A. **CUP#2018-01; 910 W Main Street;** City of Hamilton applying to use existing
15 building as the City's new Justice Center in a Public & Institutional (PI) District.

16

17 Vice-Chair Vivian Yang opened the public hearing at 5:31 p.m. to hear **CUP#2018-01; 910 W**
18 **Main Street;** City of Hamilton applying to use existing building as the City's new Justice Center
19 in a Public & Institutional (PI) District.

20

21 Drew Blankenbaker chose to abstain from voting on CUP#2018-01 and CUP#2018-02; he feels
22 he has a conflict of interest as his residence is within 300 ft of the proposed property.

23

24 Staff Comments:

25 The property is not currently zoned PI but will be going to the Zoning Committee on April 2,
26 2018. A condition of approval on this parcel is that rezoning of the property to a PI District is
27 approved.

28 Application Presentation:

29 Dennis Stranger gave an overview of the additions to the west of the current building that will
30 change its footprint; several small out buildings will be removed and the parking lot will be
31 expanded.

32
33 Vivian Yang asked if the parking on 9th street is off street parking and if so, included in the
34 parking spaces needed for the building. Land Hanson will review the plans and check to see if
35 street parking spaces are included in the design of the building.

36
37 Public Comments:

38 No written or verbal comments received or made.

39
40 Vice-Chair Vivian Yang closed the public hearing at 5:52 p.m.

41
42 Board Comments

43 Sue Smith moved that the Zoning Board of Adjustment for the City of Hamilton conditionally
44 approve proposed Conditional Use Permit No. 2018-01 based on the following findings of facts:

- 45
46 1. The proposed use is consistent with Title 17 because the proposed use of Justice Center
47 and City Park is specifically permitted in a PI zone by conditional use permit.
48
49 2. The proposed use is not detrimental to the health, safety, comfort and general welfare of
50 persons residing or working in the neighborhood because
51 a. Notice was given to adjacent landowners and the public and no comment was
52 received opposing the use; and
53 b. The proposed use is consistent with the surrounding neighborhood which includes
54 Institutional, professional services, residential and low impact businesses.
55
56 3. The proposed use is not detrimental to the general welfare of the city in that testimony
57 was presented that did not at the time this was written contradict the approval of the
58 proposed uses.
59
60 4. Approved with the following conditions: That approval is conditional on the rezone
61 approval of the above legally defined property and that height limitations and setbacks for
62 the Justice Center are as shown on the attached site plan.

63
64 Seconded by Donna Shulund. Vote by roll call. Motion carried.

65
66 John Trangmoe, Aye
67 Darwin Ernst, Absent
68 Sue Smith, Aye
69 Vivian Yang, Aye
70 Donna Larson Shulund, Aye
71 Clayton Dethlefsen, Absent
72 Drew Blankenbaker, Abstained
73

74 **B. CUP#2018-02; 910 W Main Street;** City of Hamilton applying to build a public
75 restroom at Claudia Driscoll Park in a Public & Institutional (PI) District.
76

77 Vice-Chair Vivian Yang opened the public hearing at 5:55 p.m. to hear CUP#2018-02; 910 W
78 Main Street; City of Hamilton applying to build a public restroom at Claudia Driscoll Park in a
79 Public & Institutional (PI) District.
80

81 Staff Comments:

82 The current bathroom is on a septic; the new proposed bathroom will be hooked up to City
83 sewer, bigger and ADA compliant. Staff recommends approval of this project.
84

85 Application Presentation:

86 The proposed bathroom is visibility from the street, closer to the septic line, and next to the
87 Police station.
88

89 Public Comments:

90 No written or verbal comments received or made.
91

92 Vice-Chair Vivian Yang closed the public hearing at 6:00 pm.
93

94 Board Comments

95 John Trangmoe moved that the Zoning Board of Adjustment for the City of Hamilton
96 conditionally approve proposed Conditional Use Permit No. 2018-02 based on the following
97 findings of facts:
98

- 99 1. The proposed use is consistent with Title 17 because the proposed use of a park/accessory
100 use bathroom is specifically permitted in a PI zone by conditional use permit.
101
- 102 2. The proposed use is not detrimental to the health, safety, comfort and general welfare of
103 persons residing or working in the neighborhood because;
104 a. Notice was given to adjacent landowners and the public and no comment was
105 received opposing the use; and
106 b. The proposed use is consistent with the surrounding neighborhood which includes
107 Institutional, professional services, and residential and low impact businesses.
108
- 109 3. The proposed use is not detrimental to the general welfare of the city in that testimony
110 was presented that did not at the time this was written contradict the approval of the
111 proposed uses.
112
- 113 4. Approved with the following conditions: That approval is conditional on the rezone
114 approval of the above legally defined property and that height limitations and setbacks
115 for the bathroom will be as shown on the site plan and building plans.
116

117 Seconded by Sue Smith. Vote by roll call. Motion carried.
118

119 John Trangmoe, Aye
120 Darwin Ernst, Absent
121 Sue Smith, Aye
122 Vivian Yang, Aye
123 Donna Larson Shulund, Aye
124 Clayton Dethlefsen, Absent
125 Drew Blankenbaker, Abstained

126
127 OLD BUSINESS:

128 Bylaws:
129 5.3.2F need to change the word “will” to “may”.

130
131 Board Comments:
132 None.

133
134 MINUTES: January 22, 2018
135 Donna Shulund moved to approve the January 22, 2018 minutes with the proposed revisions.
136 Seconded by Drew Blankenbaker. Vote by roll call. All voted aye. Motion carried.

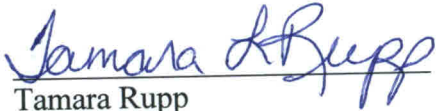
137
138 Board Discussion:
139 The cell tower is moving along, just had the structural testing completed and work should begin
140 in April or May. Land Hanson gave the Board an update on projects happening in Hamilton.
141 There was a discussion about affordable housing and available land in the City of Hamilton.

142
143 Open Discussion

144
145 Sue Smith moved to adjourn. Seconded by John Trangmoe. Motion carried unanimously.

146
147 Meeting adjourned at 6:53 pm.

148
149

150
151 
152 Tamara Rupp
153 Tamara Rupp
154 Secretary


Vivian Yang
Vice-Chair