



City of Hamilton Public Works

920 New York Ave
Hamilton, Montana 59840

MINUTES OF THE CITY OF HAMILTON ZONING BOARD OF ADJUSTMENT MEETING May 21, 2018

TOPICS FOR DISCUSSION:

- A. VAR#2018-01; 100 Waters Edge Drive; applicant Ran Pigman, representing Ron and Corky Pigman, is requesting an adjustment to the front setback from 25 feet to 10 feet in a Multiple-Family Residential District (RM).**
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1 The following members were present: John Trangmoe, Sue Smith, Vivian Yang, Donna Larson
2 Shulund, Clayton Dethlefsen, Darwin Ernst and Drew Blankenbaker.

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

6
7 Vice-chair Yang opened the Zoning Board of Adjustment meeting at 5:35 p.m.

8
9 GENERAL PUBLIC COMMENTS:

10 None.

11
12 NEW BUSINESS:

- 13 **A. VAR#2018-01; 100 Waters Edge Drive; applicant Ran Pigman, representing**
14 **Ron and Corky Pigman, is requesting an adjustment to the front setback from 25**
15 **feet to 10 feet in a Multiple-Family Residential District (RM).**

16
17 Vice-Chair Yang opened the public hearing at 5:35 p.m. to hear VAR#2018-01; 100 Waters
18 Edge Drive.

19
20 Staff Comments:

21 The applicant is requesting a variance to the front setback requirements from 25 feet to 10 feet.
22 Mr. Hanson identified this lot is unique due to its shape, size, layout, easements and water. He
23 also stated that the applicant has a valid argument to present his case to this board and have the
24 board make a decision. Access to the property is accomplished by a 30 ft. easement along
25 Marcus Daly property.

26
27 Application Presentation:

28 Applicant Ran Pigman stated this is very unique piece of property including the flood plain,
29 easements and shape of lot. He also stated this is a very challenging lot that needs a tall
30 basement. The request is to change the front setback from 25 feet to 10 feet to accommodate the
31 proposed house plans. He informed the Board he is aware of the water and sewer easements and

32 that is one of the reasons for the variance request. Guest parking would be in front of the garage
33 and two spots on the driveway next to the fence.

34
35 Public Comments:

36 Dona Eurman, representing Marcus Daly Hospital, read a letter from CEO John Barto^{sk}
37 opposing the variance request due to the water and sewer easement. Consensus was that the
38 hospital allowed the easement so there should be no issue with digging up the line.

39
40 Vivian Yang spoke with homeowners on both sides of the property and they do not oppose the
41 variance request.

42
43 Vice-Chair Yang closed the public hearing at 6:22 p.m.

44
45 Board Comments

46 Clayton Dethlefsen moved to approve Variance request #2018-01 the Zoning Board of
47 Adjustment for the City of Hamilton based on the following findings of facts:

48
49 The Zoning Board of Adjustment discussed Variance #2018-01 to consider if the
50 request complied with the following conditions:

- 51 A. conformed to the intent of this Title 17;
52 B. would be in the public interest; or
53 C. if the applicant was able to demonstrate a hardship to the
54 property because the property is deprived of privileges enjoyed
55 by other property in the immediate vicinity due to:
56 1. Size of property:
57 2. Shape of property:
58 3. Topography of property:
59 4. Location of existing nonconforming structure(s) on lot; or
60 5. Location of existing service lines.

61
62 The Zoning Board of Adjustment approves Variance #2018-01 based on the following
63 conditions:

- 64 1. That special conditions and/or circumstances exist which are peculiar to
65 the land, the lot or something inherent in the land which causes the hardship
66 and which are not applicable to lands;
67 2. That a literal interpretation of the provisions of this chapter would
68 deprive the applicant of rights commonly enjoyed by other lands;
69 3. That granting the variance will not confer on the applicant any special
70 privilege that is denied by this chapter to other lands;
71 4. That the granting of the variance will be in harmony with the general
72 purpose and intent of the City's zoning regulations.

73
74 Seconded by Drew Blankenbaker. Vote by roll call. Motion carried.

75
76 Drew Blankenbaker stated this is why we have variances; this applicant had a hardship because
77 of many different reasons and now with the variance permit approved, is able to build on this
78 property.

79 John Trangmoe, Aye
80 Darwin Ernst, Aye
81 Sue Smith, Nay
82 Vivian Yang, Aye
83 Donna Larson Shulund, Aye
84 Clayton Dethlefsen, Aye
85 Drew Blankenbaker, Aye

86
87 Vivian Yang left the meeting at 6:28 p.m.

88
89 OLD BUSINESS:

90 Bylaws:
91 John Trangmoe moved to adopt the proposed Bylaws as written. Seconded by Drew
92 Blankenbaker. Vote by roll call. Motion carried.

93
94 John Trangmoe, Aye
95 Darwin Ernst, Aye
96 Sue Smith, Aye
97 Vivian Yang, Absent
98 Donna Larson Shulund, Aye
99 Clayton Dethlefsen, Nay
100 Drew Blankenbaker, Aye

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102 Board Comments:

103 None.
104

105 MINUTES: March 26, 2018

106 Drew Blankenbaker moved to approve the March 26, 2018 minutes with the proposed revisions.
107 Seconded by Donna Shulund. Vote by roll call. Motion carried.

108
109 John Trangmoe, Aye
110 Darwin Ernst, Abstained
111 Sue Smith, Aye
112 Vivian Yang, Absent
113 Donna Larson Shulund, Aye
114 Clayton Dethlefsen, Abstained
115 Drew Blankenbaker, Aye

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117 Board Discussion:

118 None.
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120 Open Discussion

121 None.
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123 Clayton Dethlefsen moved to adjourn. Seconded by Donna Shulund. Motion carried
124 unanimously.

125 Meeting adjourned at 6:43 pm.

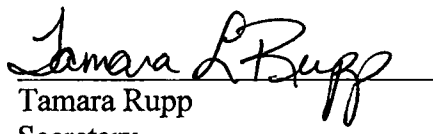
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Tamara Rupp

Secretary



Darwin Ernst

Darwin Ernst

Chairman