

Fallon County Planning Board Meeting

Monday, June 28th, 2010

Fallon County Courthouse Courtroom

Members Present: Mary Lee Dietz, Steve Zachmann, Gary Irgens, Willy Benner, Andy Hepperle, Tom Bechtold, Pat Hanley, Jessica Dinardi – Planner.

Others Present: Gary Brent and Karen Brockel, Bill Nelson, Dora Leyba, Jay Quenzer, Jon Slagter.

7:00 PM Convene– Planning Board President Steve Zachmann called the meeting to order and read the minutes from the May meeting. Andy moved to accept minutes as written. Gary seconded. All in favor.

Jessica passed around a letter from the City of Baker regarding their decision on the Ehret variance for all Planning Board members to read.

7:15 – PUBLIC HEARING - JAY QUENZER VARIANCE REQUEST – Steve Zachmann read the Public Hearing notice as published in the Fallon County Times and addressed the city codes pertaining to this variance request. Mr. Quenzer would like to put a three plex unit on one city lot. Mr. Quenzer addressed the board stating that he bought this lot with an old condemned house that is a detriment to the city and would like to put up this three plex in an effort to provide some much needed housing within the city. This will be one large building – 2 units will face west and 1 will face south. Each unit will have a garage and driveway which will help eliminate on-street parking.

7:32 – PUBLIC HEARING – BROCKEL FAIRWAY ACRES MAJOR SUBDIVISION – AMENDED PLAT 5AP2A-B-C – Steve Zachmann read the Public Hearing Notice as published in the Fallon County Times. Jessica presented the board with copies of the final plat and the Findings of Fact for this subdivision. The DEQ approval was received last week in the Planners office. Brockels had no further input to add.

7:45 - PUBLIC HEARING – BILL NELSON VARIANCE REQUEST – Steve read the Public Hearing Notice as published in the Fallon County Times and the city codes relating to this set-back issue. Mr. Nelson would like to build a 40' x 40' garage on the back side of his property. The west wall is 6' from the property line to avoid the utilities that run there. The east side of the building would sit 7' into the setback area.

8:00 – Public Comment / Old Business : Jessica gave a quick update to the Planning Board member about the Subdivision / COS training that was held in Fallon County. She reported that there were approximately 16 people present representing about 6 counties in Eastern Montana.

Steve Zachmann updated the Planning Board on the City Council decision from last month's variance requests. Shipstead handicap ramp – variance granted. Hurley garage roof – variance granted. Schallenberger deck – variance granted with conditions of scaling back to 8' X 6'. Ehret deck – variance denied and property owners were asked to remove the extra "bump-out" section that had already been constructed.

8:10 – New Business:

JAY QUENZER VARIANCE REQUEST: This variance request is to allow construction of a three-plex apartment unit on one city lot. City Ordinance 17.16.020 regarding apartment buildings states *“Apartment buildings shall provide at least on parking space on the property for each dwelling unit in the apartment building. There must be a minimum of four thousand square feet of lot area for each living unit in the apartment building.”* This city lot measures 7,000 square feet which is 5, 000 feet less than Mr. Quenzer needs to be compliant with City codes. The proposed building will also infringe upon the set-backs by 6” on one side. Mr. Quenzer stated that he has been very upfront with all neighbors in the area and given them all the information required as well as a drawing of what the proposed building will look like. The board realizes that there is a need for housing in Baker, but also that they are charged with making sure the city codes are followed in most instances. After discussion among board members, Tom moved that we let the city council make a decision on this request and possibly look at changing the codes to make it more workable for the public. Willy seconded this motion. 6 aye, 1 nay.

BROCKEL FAIRWAY ACRES MAJOR SUBDIVISION LOT 5AP2A-B-C: Steve reminded the board that the only issue they have to deal with on this subdivision is whether or not it complies with our current adopted Fallon County Growth Policy. The subdivision has gone through state DEQ review and received approval. The final plat is also reviewed by an examining land surveyor to make sure the information is correct. Tom moves to accept this subdivision as presented. Mary Lee seconded. All in favor.

WILLIAM NELSON VARIANCE REQUEST: Mr. Nelson is requesting this variance for a garage which will encroach upon the set-backs by 7’. Instead of the 23’ set – back, Mr. Nelson wants to build this garage 16’ back. The board wondered about this building blocking the line of vision from traffic in the alley. Steve pointed out to the board that in the past they had approved new construction only if it had conformed with set-back requirements with the exception of eaves and that they have approved replacement of old construction only at the dimensions of the old building/structure being replaced. In light of the planning board’s duties to uphold the city codes, Tom moved to deny encroachment of the set-back for this building. Pat seconded this motion. All were in favor.

Next meeting: Due to planning board members with conflicting appointments/meetings, the board will meet one week early in July. Jessica will put a notice in the paper. Next meeting will be July 19th, 2010 @7:00 pm.

8:45 Adjournment– There being no further business to discuss, Gary moved to adjourn the meeting. Andy seconded.

Respectfully submitted,

Steve Zachmann, Fallon County Planning Board President

SZ:jmd