



City of Sidney, MT
Zoning/Board of Adjustment Meeting
December 18, 2024 8:00 AM
115 2nd Street SE | Sidney, MT 59270

The City Council meetings are open to the public attending in person, with masks encouraged when social distancing cannot be accomplished. If the public does not wish to participate in person, they are also invited to participate via a Zoom meeting. You can participate via phone:

Meeting ID: 713 808 5898 Passcode: 4332809 Call: 1-346-248-7799

Board of Adjustments: Chair Jones, Meldahl, Seitz. Smith and Hintz

Other's Present: FM/BI Rasmussen, Clerk/Treasurer Chamberlin, Deputy Clerk/Treasurer Shanks, Reece Gairrett, Skip King

1. New Business

a. Ace Hardware Variance Request

Chair Jones called the public hearing for the Ace Hardware (King and King LLC) to order 8:02am. The property is located at Lot 6A, Block 1 of the Amended Plat of Augustus Vaux Subdivision.

Chair Jones called for any proponents, three times with the following coming forward:

Reece Gairrett stated he is the manager of Ace Hardware and they are wanting the fenced in area for the garden center with driving in and out access, and the height is for security. He stated it will be a black chain link fence but he is not sure if it will have a security top. PWD Hintz asked if the posts will be moved on the north side out of the right-of-way and Mr. Gairrett stated they will be coming in 6 feet more and they were mistakenly placed there. FM/BI Rasmussen stated Troy Jensen has marked property lines. Mr. Seitz asked if this will affect truck traffic in back and FM/BI Rasmussen stated he and PWD Hintz looked at the sight triangle and it shouldn't, PWD Hintz stated as long as they don't stack items 8 foot high in those corners. Mr. Seitz asked if that is paved and Mr. King stated it is paved now.

Skip King stated they have been having theft issues already for outside lawn care area. Mr. Jones asked if the propane tank moved within the fence and Mr. King stated no and that it meets code once they have bollards around it. PWD Hintz asked why there and not inside the fence and FM/BI Rasmussen stated they would have to open the fence for users and maintain inside fence during winter months and they can't bring tanks through store. Mr. Gairrett stated they want to fill RV's also. Mr. Kings stated it is more visible in the parking lot but they

will be protecting as much as possible. He stated they have it this way at other stores for more ease for customers including RV's pulling up.

Clerk/Treasurer Chamberlin stated John Reynolds called in as a proponent stating he and Fox Run are in favor of the variance. He stated in the grand scheme of things this is a small request and a net nothing. He testified that he hopes Sidney is pro-business and development and that Ace Hardware is a huge and high-quality contribution to the community and Fox Run and they are absolutely in favor of it.

Chair Jones called for any opponents with none coming forward.

Chair Jones closed the public hearing at 8:11am.

Motion was made to approve the variance with condition that north section is moved off right-of-way.

In discussion Mr. Smith asked if Public Works is ok with this and PWD Hintz stated they are. He then asked if FM/BI Rasmussen is ok with this and he stated he will be abstaining from giving a formal recommendation due to his son working at this store but he is available for technical questions.

Motion made by Hintz, Seconded by Seitz.

Voting Yea: Smith, Seitz, Jones, Meldahl, Hintz

Adjourned at 8:14am.