



**Stevensville Board of Adjustment Public Hearing & Meeting
Agenda for
MONDAY, NOVEMBER 22, 2021
6:00 PM
NVPL, 208 Main Street**

1. Call to Order and Roll Call
2. Discussion on the Following Items
 - a. Public Hearing/Discussion/Decision: Petition for Variance at 3792 Eastside Hwy, adjusting the front lot line, side lot line and rear lot line setbacks and the maximum lot coverage percentage and maximum lot coverage minimum lot area
3. Adjournment

Guidelines for Public Comment

Public Comment ensures an opportunity for citizens to meaningfully participate in the decisions of its elected officials. It is one of several ways your voice is heard by your local government. During public comment we ask that all participants respect the right of others to make their comment uninterrupted. The council's goal is to receive as much comment as time reasonably allows. All public comment should be directed to the chair (Mayor or designee). Comment made to the audience or individual council members may be ruled out of order. Public comment must remain on topic, and free from abusive language or unsupported allegations.

During any council meeting you have two opportunities to comment:

1. During the public comment period near the beginning of a meeting.
2. Before any decision-making vote of the council on an agenda item.

Comment made outside of these times may not be allowed.

Citizens wishing to speak during the official public comment period should come forward to the podium and state their name and address for the record. Comment during this time maybe time limited, as determined by the chair, to allow as many people as possible to comment. Citizens wishing to comment on a motion for decision before any vote can come forward or stand in place as they wish. Comment must remain on the motion before the council.

File Attachments for Item:

a. Public Hearing/Discussion/Decision: Petition for Variance at 3792 Eastside Hwy, adjusting the front lot line, side lot line and rear lot line setbacks and the maximum lot coverage percentage and maximum lot coverage minimum lot area



Town of Stevensville
BOARD OF ADJUSTMENT
APPLICATION FOR VARIANCE
 Community Development Department
 Phone (406) 777-5271 Fax (406) 777-4284

received
10-25-21

- 1) APPLICATION FOR VARIANCE MUST USE THIS FORM.
- 2) AN APPLICATION FEE OF \$450.00 MUST BE PAID TO THE TOWN CLERK BEFORE THE TOWN WILL PROCESS THE APPLICATION.

TOWN STAFF RESERVE THE RIGHT TO RETURN MATERIALS THAT ARE DEEMED INCOMPLETE OR LACK SUFFICIENT SUPPORTING DOCUMENTATION. THIS MAY ALSO DELAY THE SCHEDULING TO PRESENT A VARIANCE REQUEST.

(Part A) PLEASE PROVIDE THE INFORMATION REQUESTED BELOW.

1. 1 copy of a **scaled site plan** and supporting data/documents. The site plan must clearly show the existing standard and the proposed variance to the standard.
2. **APPLICANT/REPRESENTATIVE:**
 Name: Dan Metully Cell Phone Number: 406-240-1492
 Address: 3792 Eastside Hwy Ste Other Phone Number: _____
 Email: dan@flatfreight.com
3. **PROPERTY OWNER** (If different from applicant):
 Name: _____ Cell Phone Number: _____
 Address: _____ Other Phone Number: _____
 Email: _____
4. **ADDRESS OF PROPERTY:**
3792 Eastside Hwy Stevensville Mt 59870
5. **LEGAL DESCRIPTION OF PROPERTY** (Block & Lots, Subdivision/Addition):
S34, T09 N, R20 W, ACRES 1.67, IN NENE INDEX 44 CS#701060-TR PAR
6. **LOT OR PARCEL SIZE** (Square feet):
72745.20 feet Parcel A / 27007.20 feet Parcel B
7. **CURRENT AND PROPOSED USE OF STRUCTURE OR PROPERTY:**
Mixed use as of this time. Ultimately all Self Storage with existing house use
8. **ZONING DISTRICT:** C3 Highway Commercial



Town of Stevensville
BOARD OF ADJUSTMENT
 APPLICATION FOR VARIANCE

(Part B) INDICATE WHICH VARIANCE(S) IS (ARE) BEING REQUESTED AND THE EXTENT OF THE VARIANCE.

EXAMPLE: [X] Reduce Front Lot Line Setback: *From the required 10 feet to 3 feet.*

Dimensional Criteria:

- Reduce front lot line setback: _____
- Front lot line setback #2 (corner lot): From the required 25 feet to 0 feet
- Reduce garage entrance setback: _____
- Reduce side lot line setback: Reduce setback on South lot from 7.5 feet to 0 feet
- Reduce rear lot line setback: From the required 25 feet to 0 feet
- Exceed building height limitation: _____

Lot Coverage/Area Criteria:

- Lot coverage percentage: Increase coverage from 70% to 90%
- Front porch lot coverage percentage: _____
- Lot area per dwelling unit: Reduce from one acre to 10,000 feet

Landscaping Criteria:

- Reduce or eliminate landscaping area: _____
- Reduce or eliminate screening area: _____

Parking Criteria:

- Exceed the maximum parking spaces allowed: _____
- Reduce the amount of required on-site parking spaces: _____
- Reduce or eliminate loading berths: _____
- Reduce or eliminate required bicycle spaces: _____

Sign Criteria:

- Sign area (square footage): _____
- Sign height: _____
- Sign location: _____
- Number of signs: _____



Town of Stevensville
BOARD OF ADJUSTMENT
APPLICATION FOR VARIANCE

(Part C) BOARD OF ADJUSTMENTS VARIANCE REVIEW CRITERIA. To approve a requested variance for a new building or portion thereof, the Board of Adjustment shall consider the following standards in section 11-114 of the Stevensville Town Code and find as follows:

1. The variance will not create a significant risk to the public health, safety, or general welfare;
2. The variance will not significantly reduce or impair the peaceful use of existing property or improvements in the vicinity and the zoning district in which the subject property is located; and
3. Excluding monetary hardship, strict compliance with the provisions of this title would create unnecessary hardship or practical difficulty.

It is the applicant's burden of proof to show that a variance should be granted. As part of your application, you are required to provide information for each of the following factors including all alternatives considered. Failure to provide adequate responses or requested documentation may result in a returned application.

1. Are there special conditions and circumstances that are unique to the applicant's site, including the size of the property, unusual or extreme topography, or unusual shape of the property? If so, state the specific factors and provide supporting documentation. For example, if the variance request is due to an abnormal lot configuration, provide a survey of the lot that specifically demonstrates the issue.

Evolving security needs for self storage facilities make the use the buildings themselves as perimeter fencing a viable consideration

2. How is the proposed variance compatible with the other structures located on the site or in the vicinity of the site? Provide a site plan that accurately and to scale represents the height, location, and dimensions of existing structures.

Plan provided for existing and proposed structures

3. Describe whether there is a prevalence of nonconformities in the vicinity of the applicant's site that are similar to the variance requested. If so, what are those nonconformities and provide supporting documentation.

None known. Property owner realizes that his Storage Business is unique in the vicinity, and would state that his business has unique needs

4. Is the need for a variance request a result of government action? For example, the front yard setbacks were increased after construction of the structure, there fore creating the non-conformity. Explain.

Does not apply

5. Would a literal interpretation of the provisions in this title deprive the property owner of rights commonly enjoyed by other similar properties in the same zoning district? For example, would the denial of the variance deny the property owner the right to safe placement of a garage where garages are typical. If so, explain.

Likely does not apply, however, once again, Property owner realizes that his Storage Business is unique in the vicinity, and would state that his business has unique needs. Security is the largest concern for this business.



Town of Stevensville
BOARD OF ADJUSTMENT
 APPLICATION FOR VARIANCE

(Part C Continued...)

6. Explain the extent of the circumstances that are creating hardship or difficulty in compliance with the Town Code and list alternatives and options considered by the applicant. Provide supporting documentation.

Property owner believes that current zoning limitations, as written, were likely not intended to apply to potential businesses that might be created in the future, but to guide residential growth

7. Describe whether or not granting the variance requested will confer an unreasonable special privilege to the subject property that is not available to other similar properties located in the same zoning district and provide supporting documentation.

Property owner believes that other facilities in the vicinity do not have similar security concerns

8. Do you think a rebuttable presumption, should apply to your property, yes or no? For example, do you have an existing non-conforming structure that you wish to rebuild in the same location? If yes, show the original footprint of the building. Provide documentation that proves the existence of the prior nonconformity. Document that the nonconformity can be in compliance with building and fire codes.

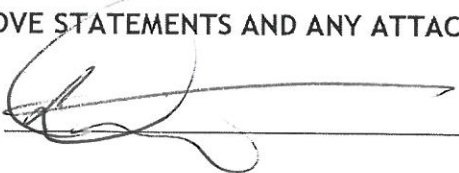
Does NOT Apply

9. Provide any additional information you would like the Board to consider.

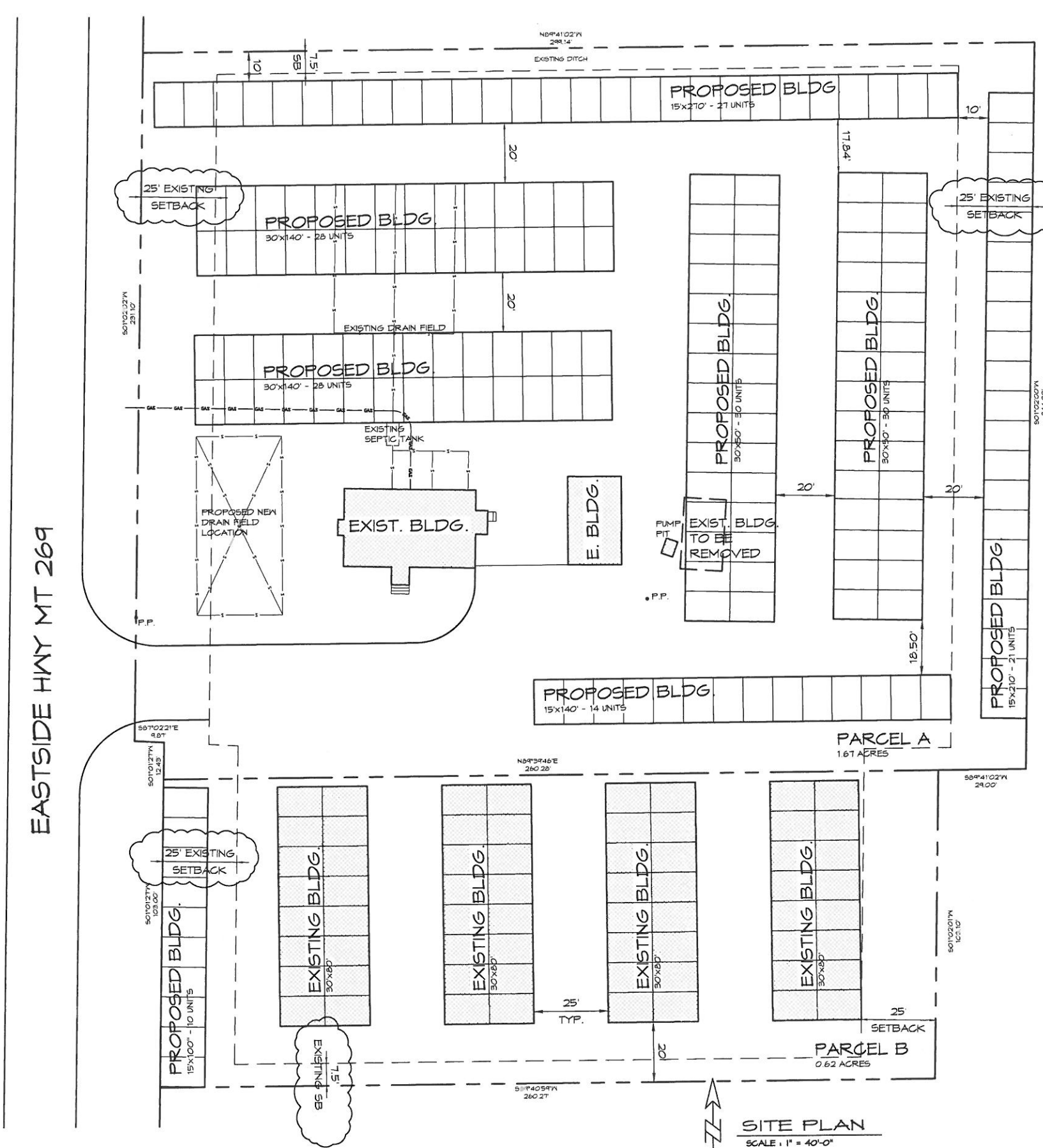
OURS IS A SOLID BUSINESS, GOOD FOR THE COMMUNITY, AND GROWING.

IT IS THE POLICY OF THE TOWN OF STEVENSVILLE'S BOARD OF ADJUSTMENT TO NOT ACT ON A PROPOSAL IF THE APPLICANT/PROPERTY OWNER OR REPRESENTATIVE IS NOT PRESENT AT THE BOARD OF ADJUSTMENTS HEARING. TOWN STAFF REPRESENT THE TOWN AND CANNOT ANSWER QUESTIONS ON BEHALF OF THE APPLICANT AT THE BOARD OF ADJUSTMENT HEARINGS.

I HEREBY CERTIFY THE ABOVE STATEMENTS AND ANY ATTACHED INFORMATION ARE TRUE AND CORRECT.

APPLICANT'S SIGNATURE:  DATE: 10-25-21

PROPERTY OWNER'S SIGNATURE: _____ DATE: _____
 (Property owner must sign application if different than the applicant)



| | |
|--------------------------|------------------|
| PARCEL A = 1.67 ACRES | or 72745.20 SF |
| EXISTING BLDG = | 1230 SF |
| EXISTING BLDG = | 534 SF |
| PROPOSED BLDG = | 2100 SF |
| PROPOSED BLDG = | 3150 SF |
| PROPOSED BLDG = | 4050 SF |
| PROPOSED BLDG (2@4500) = | 9000 SF |
| PROPOSED BLDG (2@4200) = | 8400 SF |
| BLDG COVERAGE = | 28,464 SF or 39% |
| PARCEL B = 0.62 ACRES | or 27007.20 SF |
| EXISTING BLDG (4@2400) = | 9600 SF |
| PROPOSED BLDG = | 1500 SF |
| BLDG COVERAGE = | 11,100 SF or 41% |

**PRELIMINARY
NOT FOR
CONSTRUCTION**

SITE PLAN
SCALE: 1" = 40'-0"

Storage Buildings
3792 Eastside Hwy Stevensville, Montana

DATE: OCT 22, 2021
SHEET: **A-1.** - Page 7 -