

**Anaconda-Deer Lodge County
Board Of Adjustment
ALDC 3rd Floor Conference Room
March 18, 2016 – 3:00 p.m.**

Present: Donna Kostelecky, Lorraine Biggs-Gallik, Joyce Gutcheck and Glenn Gutcheck

Absent: Bill Johnson

Others Attending: Doug Clark, Planning Director; Charly Loper, Planner I; Paula Arneson, Administrative Assistant, Sanitarian/Extension

Guests: None

Vice-Chair Donna Kostelecky called the meeting to order and explained the role of the Board of Adjustment.

Approval of the September 17, 2015 Minutes: Glenn Gutcheck made a motion to accept the minutes. Lorraine Biggs-Gallik seconded.

Discussion: None

Motion carried unanimously.

V16-01: A request by APOC World, LLC (Operator: SAFER “Shooting And Firearm Education Responsibilities”) for a variance from front setback standards and also a variance to the Floor Area Ratio (FAR) standards in the Highway Commercial Development District (HCDD). Applicant is requesting a 10-foot front setback where 25-feet is currently required by code and a 0.34 FAR where 0.30 FAR is currently required by code.

Staff Report presented by Doug Clark:

- The purpose for the MDP is the discussion that was held prior to the decision that a variance was needed even after the MDP had been heard by the Planning Board.
- Doug Clark presented photos of the site.
- An additional building for the shooting range building will require relief from the setback standards in the HCDD.
- A variance from the setbacks and the floor area ratio standards will both be heard at this meeting.

Staff Report presented by Doug Clark (continued.):

- A building of presented size would not fit on most lot sizes in this area.
- All developed floor area is counted even if it is a second story.
- Doug Clark explained the floor area to lot size ratio.
- Doug Clark gave an overview of the difference between the MDP for Dave Colbert Electric that took place at in March 2016.
- The Planning Board voted to recommend approval for the MDP for the shooting range.
- Review:
 - Criteria A is sufficiently met.
 - Criteria B: Is sufficiently met.
 - Criteria C: This proposed building will not allow the developer to have a higher use of their property. Criteria C is met.
 - Criteria D: Hardship is not caused by the developer. If the use is otherwise acceptable, the hardship was not created by the developer.
 - Criteria E: The minimum necessary is being requested to meet the criteria. Changes were made to the building to meet this criteria.
 - Criteria F: The area in front of the new proposed building will the sodded to continue street front conditions. Criteria F is sufficiently met.

Discussion: Lorraine Biggs was able to visit with Vince Labbe from NWE. Lorraine was able to confirm that the NWE building will not be using the door in order to allow for the construction of the proposed building and that NWE is in favor of the MDP.

Black Powder systems will be able to be used since an HVAC system will be installed. The concrete will be utilized that is specifically made for these types of uses.

Lorraine Biggs has made a motion to approve the Variance 16-01 to allow APOC World, LLC a 10-foot front setback where 25-feet is currently required by code and a FAR of 0.34 where a FAR of 0.30 is currently required by code. Joyce Gutcheck seconded the motion.

Motion carried unanimously.

The BOA approval will go to the Commission next Tuesday, April 22, 2016.

Lorraine Biggs made the motion to keep the slate of officers as is. Joyce Gutcheck seconded the motion.

Motion carried unanimously.

Old Business: None

Miscellaneous Matters / Public Comments:

Matters from the board: None

Matters from the staff:

Doug Clark made the announcement that he has given his resignation and will be working in the private sector.

Charly Loper, Planner I was introduced to the BOA board members.

Dan Clark from MSU has been invited to conduct board training for the Planning Board, however, CEO Daniels would like the invitation to be extended to all the boards.

Public comment: None

Miscellaneous: None

Adjournment

A motion was made and seconded to adjourn.

Motion carried unanimously.

Next meeting: As Needed

Respectfully Submitted,

Paula R. Arneson

Paula R. Arneson,
Administrative Assistant
MSU Extension

2016